

JACK McCULLOUGH:
WORKERS' REPRESENTATIVE ON THE ARBITRATION
COURT

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ABBREVIATIONS

<u>A.J.H.R.</u>	<u>Appendices to the Journals of the House of Representatives</u>
AOL	Alliance of Labour
ASCJ	Amalgamated Society of Carpenters and Joiners
ASRS	Amalgamated Society of Railway Servants
AWU	Australian Workers' Union
BOA	<u>Book of Awards</u>
CASRS	Canterbury branch of the ASRS
CDU	Canterbury Drivers' Union
CEA	Canterbury Employers' Association
CGLU	Christchurch General Labourers' Union
CTLC	Canterbury Trades and Labour Council
CTC	Canterbury Trades Council
DU	Drivers' Union
FLU	Farm Labourers' Union
FU	Farmers' Union
GLU	General Labourers' Union
IC and A Act	Industrial, Conciliation and Arbitration Act
ILP	Independent Labour Party
IPLL	Independent Political Labour League
IWW	Industrial Workers of the World
Lib-Lab	Liberal-Labour
<u>L.T.</u>	<u>Lyttelton Times</u>
McCP.	McCullough Papers
McCP/D.	McCullough Papers, Diary
<u>M.W.</u>	<u>Maoriland Worker</u>
NCFU	North Canterbury Farmers' Union
NZFOL	TLC's Federation of Labour
<u>N.Z.J.H.</u>	<u>New Zealand Journal of History</u>
NZLP	New Zealand Labour Party
<u>N.Z.W.</u>	<u>New Zealand Worker</u>
NZWPA	New Zealand Workers' Political Association
OEA	Otago Employers' Association
OTLC	Otago Trades and Labour Council
PRU	Passive Resisters' Union
<u>P.S.</u>	<u>Press</u>
Red Fed	Federation of Labour formed by the New Zealand Miners' Federation in 1909
SDP	Social Democratic Party
TLC	Trades and Labour Council
ULP	United Labour Party
UFL	United Federation of Labour
WEA	Workers' Educational Association
WPA	Workers' Political Association
WRAC	Workers' Representative on the Arbitration Court

ABSTRACT

This biography of Jack McCullough is also the chronicle of the Canterbury Trades and Labour Council coterie he helped to organize at the turn of the century. This group of class conscious unionists attempted to persuade the nascent trade union movement to adopt their socialist objectives.

This thesis examines the opposition that McCullough's coterie faced. It experienced difficulty, first, in distinguishing itself from an 'advanced' Liberal establishment in Christchurch which assiduously cultivated its working class power base. Organized Labour in Christchurch divided into Lib-Lab and Independent Labour factions. The Independent Labour unionists' attempt to use the arbitration system to rebuild class conscious unions was also vigorously opposed locally by a new managerial elite which attempted to control relations in the workplace and who had their own expectations of the Arbitration Court. McCullough's coterie's objectives were also challenged from the left by the militant Red Feds. Ultimately, however, McCullough's ideal ran aground. It was the victim not so much of the employers or the Red Feds as of a groundswell of more moderate Labour opinion which found its home in the Labour Party formed in July 1916.

McCullough's coterie eventually failed in its attempt to create a democratic socialist revolution in its own lifetime based on either the trade union movement or the Labour Party. McCullough himself was thus left with his role as Workers' Representative on the Arbitration Court. Increasingly, he was

to find this role impossible to sustain and resigned. His resignation and his entire career as workers' representative before the Court illustrates the difficulties faced by socialist reformers who chose to attempt to bring about reform from within the apparatus of the capitalist state.

PREFACE

The aim of this thesis was to write a biography of Jack McCullough and to investigate his position as an arbitration-supporting trade unionist.

There are too few biographies of New Zealand working class people. The usual problem of the scarcity of sources does not apply in McCullough's case because of the collection of papers he left. These were stored in a garage for a number of years. Bert Roth took some of the material into safe keeping but unfortunately much of McCullough's original collection which survived up until the 1950s has been subsequently lost. What remains is substantial, nevertheless, and has been deposited in the Canterbury Museum Library. McCullough's papers are significant because he was the only union diaryist of his period. It is to be hoped that these diaries will be published to make them more accessible.

This biography has been shaped by the nature of the prime sources. McCullough himself intended his diaries and letter-books to be accounts of his work as an arbitrationist. They indicate the cross-section of personalities and trade unionists he associated with in his fourteen years on the Arbitration Court. The Court is usually approached in the context of the militant attack by Red Feds and Alliance of Labour trade unionists. McCullough gives the historian another perspective. He was a radical trade unionist who gave the Court qualified support. He has been regarded by some historians, however, as a whole-hearted moderate who was ideologically opposed to

the militants. McCullough's career raises important questions, then, about the relationship between trade union factions, about the relationship of the trade union movement with the Arbitration Court and about the approach historians have adopted when dealing with the Arbitration Court.

Any thesis writer incurs many debts in the course of research. I would like to acknowledge the help given to me by the staff of the libraries I have used and, particularly, the Canterbury Museum Library staff. The Christchurch Chamber of Commerce, the Canterbury and Otago branches of the Employers' Federation and the Christchurch Workers' Educational Association kindly made their records available to me. I found interviews and correspondence with Bert Roth and Noel Parsloe most useful. Bert Roth's references pointed me in the right direction at the start. Similarly, members of McCullough's family could not have been more helpful. His grand-daughter, Kathleen Loveridge, and his niece, Sophia Ray, (who is also Tommy Taylor's niece which was most convenient for a researcher) produced huge files of family photos and valuable reminiscences.

Most importantly, I would like to thank Dr Len Richardson, my supervisor, for suggesting I make Jack McCullough the subject of a thesis in the first place. He persevered while I laboured at the craft of producing written work. I have my friends to thank for sustaining me while I worked and especially Brett and my mother, Alison, for their loving support.

CHAPTER ONE

McCullough's path to the Arbitration Court, 1860 - 1907

McCullough was elected Workers' Representative on the Arbitration Court (WRAC) at the end of 1907. The few accounts of his election have concentrated on the controversy which has surrounded his dismissal by the Railway Department for his political involvement immediately before the WRAC elections. Very little has been recorded about McCullough's participation in the local Christchurch movement before 1907 which led to both his dismissal from the Addington Railway Workshops and his election as WRAC. In particular, McCullough was close to the centre of disputes which saw the local labour movement splinter into rival Lib-Lab and Independent Labour unionists. The long-serving WRAC, Robert Slater, was overthrown for McCullough as a result of this internal union division.

This early period of McCullough's life when he progressed from being an anonymous colonist to become a leading figure in the Christchurch union movement can be divided into four phases. As a colonist, McCullough looked forward to finding employment and building a better life in New Zealand when he arrived in 1880. However, he had a rude awakening in the colonies between 1880 and 1888 experiencing unemployment and depression. By the end of the 1880s McCullough's life had become materially settled but as a result of his experiences during the depression he did not become complacent. Like many of his contemporaries, McCullough articulated his grievances through union activity in 1889. In the second phase, between

1889 and 1895, McCullough became a committed trade unionist. He was heartened by the union organization which was formed before and during the 1890 Maritime Strike and by the election of the Liberal-Labour (Lib-Lab) Government which was responsible for the Industrial, Conciliation and Arbitration (IC and A) Act. However, he became disillusioned with the achievements of liberalism and embraced, instead, socialism. During the third phase between 1896 and 1902, McCullough's political objective was to form an independent labour party based on the trade union movement. He was a leading figure in the coterie of socialists who began to challenge the Lib-Lab dominance in the Canterbury Trades and Labour Council (CTLC). One result of McCullough's union and political activities in this fourth phase after 1903 was he emerged as a likely Independent Labour Party candidate for the position of WRAC.

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J. A. McCullough arrived in New Zealand with his family and their maternal cousins, the Redpaths, early in 1880.¹ McCullough's parents were Irish.² John Alexander, or Jack as

1. National Archives, passenger list. The McCulloughs arrived on 21 February 1880 at Lyttelton on board the S. S. Westland.
2. McCP., folder 14, marriage certificate. Jack McCullough's mother, Sarah Davison, was born in Londonderry and his father, William John McCullough, was born in Belfast, Ireland. Knowing that the McCulloughs were staunch Orangemen (Irish Unionists) and Presbyterians of Belfast, it is presumed that they were descendants of Scottish people imported in their thousands to Ulster at the end of the seventeenth century to protect British rule against rebellious Catholic natives. This also accounts for the 'Scottish' pronunciation of McCullough.

he was called, was the eldest of five children.³ He was born at his parents' home in Hardings Street, Belfast on 17 January, 1860.⁴ His father, William McCullough, had been a seaman working out of the port of Belfast but when the availability of work became greater in the port of Liverpool, like so many Irish families before them, the McCulloughs crossed the Irish Sea in 1863 to Liverpool. Jack McCullough finished his formal schooling at a Presbyterian Church primary school at twelve. With primogenital good luck and his parents' good management, their eldest son secured and served a seven year apprenticeship as a brazier.⁵ The family's decision to emigrate to New Zealand, then, was part of a process of earlier migration in search of work and a better life. They came to New Zealand under the Vogel scheme of assisted passage and they were attracted to Canterbury by the immigration officers' prospectus of a new land of opportunity.

Jack McCullough and his family unknowingly came to a colony embarking upon a decade of depression. More particularly, however, they came to a province which was experiencing a flood of immigrants which its economy could not absorb. Between 1878 and 1881 Canterbury's population rose by twenty-two percent. This was the highest increase of population in New Zealand and

3. Loveridge MS., (McCullough's grand-daughter, Kathleen Loveridge, grew up living next door to her grand-parents and knew them well). Sarah and William's children were, in order of birth, John Alexander, Margaret, James, Sarah and Francis; all but Jack were born in Liverpool.
4. McCP., folder 14, a copy of entry 86 in the Baptismal Register of the Sinclair Seamen's Church, Belfast, 26 February 1860.
5. ibid., notes of an autobiographical speech written by McCullough about his first years in New Zealand. It is undated but he delivered it about 1937.

as a consequence by 1881 Canterbury took Otago's place as the most heavily populated province.⁶ In 1880, the Christchurch economy could not generate work even for a skilled craftsman such as McCullough. Throughout his first year in the 'New World' McCullough had no choice but to work as a labourer for a local coal merchant. Almost in despair, he joined the exodus to Australia where he found work at his trade in Sydney. Within a year McCullough returned to his family in Christchurch but the prospects of employment were worse than when he had left. McCullough was reduced to working an eighty-four hour week as a labourer at the Christchurch Gas Company. A job as a seaman and watersider at Lyttelton was an attractive alternative which he welcomed. It was not until McCullough joined the Railway Service in 1883 as a tinsmith at the Government Workshops in Addington, Christchurch, that he worked at his trade in New Zealand.

McCullough brought with him from the Old World a staunch commitment to unionism in the person of his father. William took his union experience as a seaman with him to the railways in Timaru where he eventually became a trustee, committeeman and respected member of the local union.⁷ Jack McCullough had himself been baptized in the font of the Sinclair Seamen's Church in Belfast and apprenticed in the craft unionism of the Liverpuddlian smiths. Nevertheless, his personal colonial experience as a seaman had a more profound effect upon the twenty-two year old McCullough:

6. New Zealand Census, 1911, p.6. Between 1878 and 1881 Canterbury grew faster than Otago but lost its brief position as the most heavily populated province to Auckland between 1881 and 1886. Wellington's growth between 1901 and 1906 relegated Canterbury to third position.

7. New Zealand Railway Review, November 1905, obituary for William McCullough.

... my eighteen months as a seaman and a watersider has helped me to understand and appreciate comradeship, cooperation, the necessity and advantage of trade union organization. It made me hate and loathe the inhuman conditions under which these men were forced to toil to live: to wonder that under such treatment they could be so good as they were, to understand why these men could be so easily induced to strike on the job ... (8).

At first, McCullough had been horrified and disgusted by his drunken and blasphemous working mates but his opinion of them changed after he experienced the seamen's working conditions and witnessed their fraternal altruism. One crew member, for example, risked his own life to rescue other crew members from a shipwreck, while another seaman worked a second consecutive shift in an unpleasant engine room for a sick mate.

Experiences like these made a deep impression on McCullough who had been brought up as a strict Presbyterian. In particular, McCullough's father was a devout churchman who honoured the Sabbath and not even a union meeting could induce him to infringe Sunday's rest. Although William and his religion were a great influence, Jack's experiences in the colonies made him question the religious dogmas he had previously merely inherited:

I who had been associated most of my life with Church going and professing Christians, had, under the stress and pressure of the capitalist system been forced to associate with Godless, reckless and allegedly abandoned sinners ... I had to admit that my present associates were in many aspects much more Christian in action than many of the professing Christians with whom I had associated in the past. (9).

8. N.Z.W., 21 December 1927.

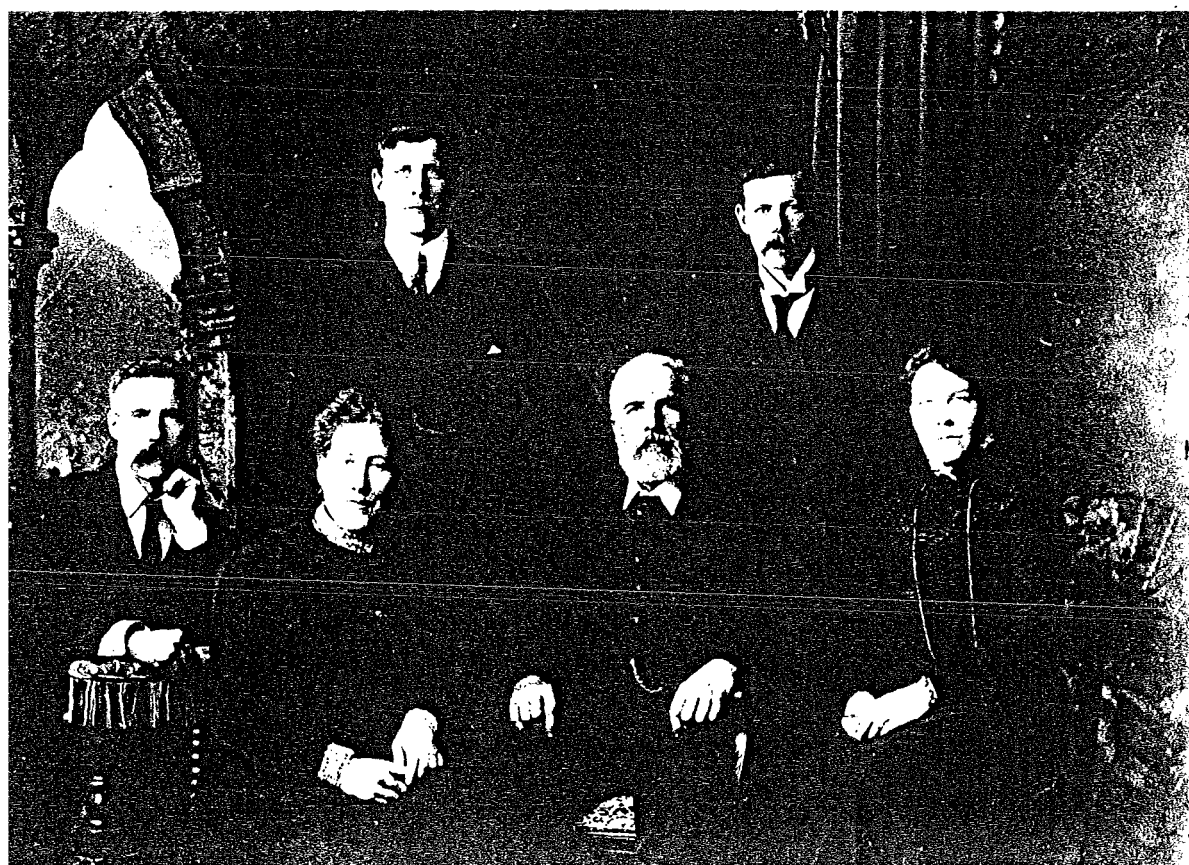
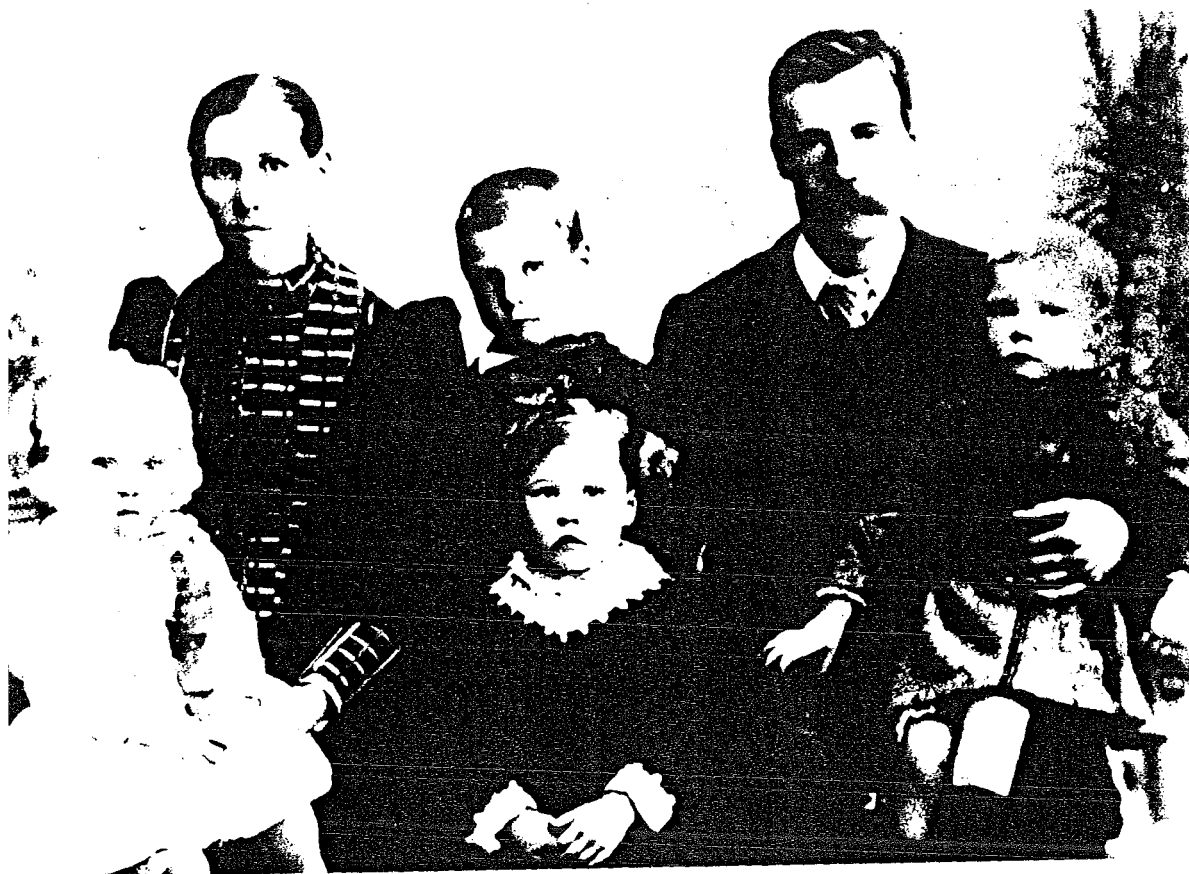
9. *ibid.*

Jack and Margaret McCullough and family, 1892

"... Mr McCullough was a most kindly and devoted husband and father, a most considerate citizen and a devoted adherent to the cause of the ordinary man and woman." (Angus McLagan, N.Z.P.D., vol.227, 1947, pp.115-116).

Jack McCullough, his father, sisters and brothers
at his mother's funeral, 1904

(At back at left) Frank, a painter by trade; Jim, who was also a painter and paperhanger by trade who went into business for himself, was a labour member of the Christchurch City Council, 1912-17, an active prohibitionist and methodist lay preacher; (sitting from left) Jack; Sarah Kennedy was a well known contralto who sang in public and also ran a concert party of young people; William, a staunch Presbyterian, Orangeman and trade unionist; Margaret Norrie became well known in Timaru for her work for the welfare of the seamen. She was awarded an OBE in later life.



McCullough pondered over such thoughts as he lay on his bunk on board ship on Christmas morning in 1882, listening to the Lyttelton Brass Band playing, 'Hark the Herald angels sing ... Peace on earth and mercy mild'. Jack McCullough, a skilled tradesman reduced to navvying, wrote later that at that moment he became converted to unionism. McCullough's new unionism was, then, as much the produce of a religious experience as it was the result of his colonial work experience.

The conversion was not immediately followed by McCullough's direct involvement in the labour movement. Rather, he used the time to steep himself in reading. There was also the normal strain of bringing up a young family to occupy his time. Moreover, his wife and Irish compatriot, Margaret Garvin, who was from a farming family which emigrated to settle on land outside Christchurch, did not share Jack's enthusiasm for Christian unionism. Jack and Margaret had married in June 1885 in Christchurch and they shifted into a little cottage in Tuam Street, in a working class suburb where they raised their family.¹⁰.

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10. McCP., folder 14, marriage certificate. Jack and Margaret were married on 6 June 1885 at the Lamb's home in Opawa. Margaret McCullough's parents, John and Margaret Garvin (her mother née Johnson), were a farming couple from Castle Dawson, County Derry (Londonderry), Ireland. Jack and Margaret's children were, in order of birth according to birth certificates held at the Christchurch Registry for Births, Deaths and Marriages, William John (1886), Ethel Margaret (1887), James (1888), Francis (1890) and Raymond (1894).

McCullough's personal conversion to unionism was not promptly followed by formal commitments, however, for the more important reason that there was no union for him to join. The Railway Commissioners who managed the New Zealand Railways were opposed to the formation of a national union of railwaymen, such as was formed in Britain.¹¹ The New Zealand Railways were publicly funded and the Commissioners considered it was highly improper to unionize employees of a public institution. The Railways' workforce should be exemplary with 'proper discipline, respectability, harmony, intelligence and sobriety'. Such a national union, moreover, was potentially, industrially and politically, a powerful force. Nevertheless, spearheaded by an expatriate British railway unionist, a Railways employees' union was founded in Auckland in 1886. The union, the Amalgamated Society of Railway Servants (ASRS), was initially limited to Auckland but a Canterbury branch was formed in 1889. This was a time when general interest in unionism and labour questions had been awakened. This is evident in the popularity of organizations such as the Knights of Labour, the widely read publications of Bellamy and George and the massive support given to the successful London Dockyard Strike.

The Addington Workshops where McCullough worked were one of the largest industrial concerns in Christchurch. This public works project, which was completed at the end of 1881, was designed to augment the Dunedin Hillside Workshops and to make the operation of the expanding railways more economic. Under the influence of the depression, the Workshops became

11. Roscoe Papers, folder 2, newspaper clippings on railway employees in the 1880s.

the most industrially active unit of workers in Christchurch.^{12.} In 1882 the railwaymen had been removed from the roll of civil servants and thus deprived of their pension privileges. Wages generally had been reduced by ten percent and the employees of the Addington Workshops were conspicuous in demanding the restoration of the cut. There was discontent with the administration of promotions and the nomination system of appointments which opposition Members of Parliament and railway employees alleged amounted to little more than a system of favouritism. The Railway Commissioners refused to negotiate with their employees, let alone with a union, over the long-standing grievances of boy labour and long hours of work. By 1889, the lesson of the power of public protest was not lost on the railwaymen and a sequence of events led, seemingly inextricably, to the formation of a union. In September, the Addington Workshops established a London Dockyard Strike Fund and called on the Christchurch mayor to co-ordinate moneys from various union funds in the city. A prominent railwayman and member of the Christchurch Rawhiti branch of the Knights of Labour, C. J. Rae, held a public meeting of working people sympathetic to the London Strike in Cathedral Square.^{13.} On 24 October 1889, 600 railwaymen met to protest against Atkinson's Railway Employees' Bill which threatened to usurp the role of their friendly societies for no great advantage.^{14.} Finally, in defiance of their employers, the Addington Work-

12. Coates, J. M. O., 'The Labour Movement in Canterbury 1880-1893', unpublished M.A. thesis, University of Canterbury, 1979, pp.1-10.

13. L.T., 10 and 30 September 1889.

14. *ibid.*, 25 and 26 October 1889.

shops requested a visit by an Auckland organizer, E. J. Edwards, the recently appointed general secretary of the ASRS, who was provided with twenty pounds for an organizing campaign which was to include Christchurch.¹⁵ The Canterbury branch (CASRS) quickly became the headquarters of a national organization. Canterbury was the single largest branch of the ASRS and half the delegates to the first national conference in March 1890 were from Canterbury.¹⁶

McCullough was one of the first members of the CASRS. He was thirty years old yet he had not 'made his bones' in the railwaymen's hierarchy. Although he was a committee member of the CASRS' Council in 1890, he was not a prominent unionist. At the forefront for the present were C. J. Rae, J. Newton and R. Winter who had been involved in the British union before emigrating to New Zealand. Under the leadership of these men the ASRS was cautious in its commitment to the 'New Unionism' which swept the colony in the 1880s. Certainly, only thirty-five out of a high turnout of 670 members had voted against the affiliation of the CASRS to the newly-formed CTLC in May 1890.¹⁷ However, the CASRS was one of several unions which took exception to rule sixteen of the CTLC's constitution which endorsed strikes.¹⁸ The Railway Commissioners threatened dismissal to strikers. The executive

15. *ibid.*, 28 October 1889. The sequence of events in Christchurch was almost identical in Otago.

16. *New Zealand Railway Review*, 6 March 1914. The membership of the ASRS in 1890 was as follows: Auckland 256; Palmerston North 153; Nelson 38; Christchurch 854; Otago 636; Wellington 228; Oamaru 140; Invercargill 235; Greymouth 64; Westport 56; Timaru 161; Picton 26, Napier 172.

17. *L.T.*, 3 May 1890.

18. *CTLC Minute Book*, 1 March 1890.

of the union for its part did not want to lose respectability by striking. They seemed content with the policy of lobbying what were commonly known as 'penny-catching' politicians who took up their grievances and sought slow legislative change of the railway management. The railwaymen's leaders' hands were forced, however, by a boycott which was formally organized by the CTLC. This was against the local firm, Whitcombe and Tombs, for its opposition to a typographical union and its employment of non-union labour. The Railway Commissioners ordered railwaymen to handle goods assigned to Whitcombe and Tombs and seventy-four railwaymen were dismissed when they refused to help break the boycott. The executive blamed the strike on the management.¹⁹ Railwaymen generally regretted the strike; having had their fingers burnt against a determined employer, the limits of railwaymen's militancy were reached. This was important, for in the run up to the Maritime Strike at the end of 1890, the railwaymen had been of critical importance in the calculations of the 'muscular unionism' controlled by the Maritime Council. The Railway Commissioners had already withdrawn their official recognition of the ASRS before the Maritime Council called the seamen's general strike in August. The Society did not wish to sustain further defeat so it did not join the Maritime Strike. The defeat of the strike was inevitable without the support of the railwaymen.

The union organization collapsed with the defeat of the Maritime Strike: this was partly due to its fragile foundations. The mushroom growth of unionism about 1890 was amongst men and

19. McCP., newspaper clippings, vol.2. This was probably the meeting held and reported in the L.T., 3 September 1890.

women who had high expectations of what federation could achieve. By joining the CTLC or the larger Maritime Council, unionists expected the institution of a Workers' Commonwealth. Certainly the president of the CASRS, C. J. Rae, promised "a federation of all labour organizations in this colony and Australia ... and if possible with the British Empire ... (for) Federated unions could defy the world".²⁰ F. S. Parker, the president of the CTLC, preached a Workers' Commonwealth and a workers' victory over employers if unions merely sent delegates to the CTLC. J. E. Jenkinson, the vice-president, had the unenviable task of disillusioning many an excited delegate, the "unpleasant duty of receiving the irate and hopeful delegate; a unionist of perhaps a week's standing and assuring him that time was necessary".²¹ Support for unionism withered from within the union movement. In sharp comparison to the election in May 1890, only fifty unionists out of a disappointing poll of 164 voted in December for the CASRS to remain affiliated to the Maritime Council. McCullough was amongst this minority.

The Maritime Strike dramatically influenced a whole generation of unionists and, in particular, McCullough. He kept newspaper clippings of the events and many years later he diligently researched the whole period.²² The McCulloughs lived on porridge for a week so as to be able to donate to the voluntary Strike Fund set up after 1891 to liquidate the CASRS's debt incurred during the Maritime Strike. It was

20. L.T., 28 October 1889.

21. Atkinson Papers, Box 1 folder 1, J. E. Jenkinson to McCullough, 28 July 1911.

22. ibid., McCullough's research notes on the early history of the CTLC which he made in 1911.

McCullough's first committed union activity and, to this extent, it was a turning point.

McCullough learnt two practical lessons from 1890. First, that the workers' organization was insufficient to combat the forces arraigned against it but that this could be compensated for in the political arena:

... the councils' "bark was worse than its bite" and it certainly did a considerable amount of barking during its short existence - perhaps too much - but it was slain in the vigour of its youth, and in death was greater than in life. For its death forced the workers, not perhaps by design, but in desperation to bring about what will be known in our history for all time as the Political Revolution of 1890. (23).

The second lesson McCullough learnt from the sweating issue. He came to regard 1890 as a tribute to the ability of the middle class to shock moral sensibilities and help working people, working women in particular, who could not help themselves, to organize. It was simply a matter of publicity and unionism should harness this power of the middle class further:

In 1889 and 1890 in Dunedin some philanthropists discovered a most disgraceful state of affairs in the clothing industry: the sweated condition of the girls made such an impression on the popular conscience that Politicians, Parsons, Pressmen and Merchants vied with one another in their enthusiastic efforts to organize the workers in the Industry and force Parliament to legislate. (24).

In Christchurch, for instance, a large public meeting was

23. N.Z.W., 22 October 1930.

24. McCP., folder 14, notes of a speech by McCullough on 'The Moral Aspects of Socialism' which he delivered to the East Christchurch Brotherhood, 16 October 1911.

convened to protest at the dismissal of three women unionists from the Kaiapoi Woollen Factory. The speakers' platform featured the mayor, five ministers of different religions and two Members of Parliament; a championship of labour by Church, Government and public opinion. This became for McCullough the model to be emulated. 1890 taught McCullough, then the value of organization and the need for unionists to operate politically.

Despite the impact of 1890, McCullough still remained a rank and file unionist. He lacked a springboard to prominence. Ironically, it was partly the dual policy of sectionalism and paternalism pursued by the Railway's management after 1890 which so tranquilized railway unionism that it alienated McCullough and caused him to become more active. To begin with, after 1890, the Railway Commissioners demanded certain conditions be observed before it would recognize the union. The Society had to disaffiliate from other labour organizations, exclude non-railwaymen who were honorary members, including Members of Parliament, and guarantee that its members would follow the Government's rules and regulations to the letter.²⁵ The ASRS capitulated. Only four opposed the proposal to leave the CTLC in a ballot of its members and, on 25 August 1894, the delegates of the Canterbury branch left the CTLC. McCullough, of course, was one of the very small minority of dissidents who opposed official Society policy.

25. Roscoe, S. A., 'The History of Railway Unionism in New Zealand until the passing of the Government Railways Superannuation Fund Act, 1902', unpublished M.A. thesis, University of New Zealand (Canterbury), 1937, chapter 4 pp.47-99. McCullough provided his "personal reminiscences of the early days of the society in Canterbury" to Shona Roscoe.

In 1894 direct ministerial control of the railways by the Liberal Government replaced management solely by Commissioners. In the same year, the ASRS became eligible to register under the IC and A Act which the Society had strongly supported. However, the railwaymen's isolation from the private sector was institutionalized. The ASRS Conference of 1890 had proposed the establishment of a Board of Arbitration to deal with disputes between workers and management. The Liberal Government now chose to establish an Appeal Board with a ministerial right of veto in 1895. This was followed by other paternal gifts to a dutiful workforce. The ASRS as a body supported the Liberal Association and all society members were requested to ensure their names were on the electoral roll and to vote for Liberal candidates. Meanwhile, the Minister for Public Works, R. J. Seddon, encouraged the opposition of the officers and clerical workers who had been discontented since some ASRS men had struck in 1890. Despite the union motto of 'one industry, one union', the officers disassociated themselves from the ASRS to form the Railway Officers' Institute in 1895.²⁶ Their uniforms and their intermediary role in the workplace between workshops, traffic workers and management had always separated them as a group. Official recognition assured the Institute success in secession. McCullough began to believe the union movement had made a 'tactical blunder' in supporting so wholeheartedly the Liberal Party.

26. The Amalgamated Society of Railway Servants of New Zealand, Golden Jubilee 1886-1936, Wellington, 1936, p.7.

The isolated position of the ASRS made it difficult for McCullough to make his way in the wider Christchurch Labour movement so he had to become actively involved in organizations outside the railways. The opportunity to do so arose through the new policy pursued by the CTLC. In stark contrast to the ASRS, the CTLC had embarked upon a policy of consolidation: organizing as many unions as possible and encouraging these newly formed unions to affiliate with it. In 1898 the Council was hardly the central representative body of unions in Canterbury. Indeed, it was only a shadow of its former self. In 1890 the CTLC had convened stirring meetings of seventy or more excited delegates, while in 1898 it could barely attract a dozen delegates. The CTLC had not only lost most of its membership in the aftermath of the Maritime Strike defeat in 1890 but it had overcommitted itself and become heavily indebted. Despite a scheme of fortnightly socials, with the added attraction of preliminary speeches by well-known labour supporters like Rev. J. O'Bryen Hoare and Professor A. Bickerton, the CTLC collapsed. The ailing Council was finally dissolved at the end of 1893.²⁷ It was refounded after a local conference of interested people in February 1894 but it did not begin to revive and expand again until after 1898. It was kept alive by the 'old guard': F. Eldridge, C. Taylor, J. Wilson, J. McLaren and S. Billcliff. An organizing committee was established in 1898 and the great step forward coincided with Ben Tillet's visit to Christchurch, Bishop Julius' public

27. Thorn, James, The Formation and Development of Trade Unionism in Canterbury; A centennial lecture delivered under the auspices of the Christchurch branch of the WEA in Trades Hall, November 7, 1950, Wellington, 1950, p.27.

support and a mass meeting held by the CTLC in Hagley Park.²⁸. By this time a new generation of unionists was beginning to emerge. They appreciated the protection afforded by the IC and A Act of 1894 and

realized that under the Act they were immeasurably better off than they had been and that for the first time in the history of trade unionism it had been given a legal status and an opportunity to organize as never before possessed. (29).

In June 1898, with the aim of forming a union, the CTLC convened a meeting of tinsmiths and sheetmetal workers which McCullough attended.³⁰. His reputation had grown with his involvement in the local socialist church movement and he was unanimously elected secretary and delegate for the newly formed union to the CTLC.

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A fellow employee of the Addington Workshops, Harry Atkinson, was partly responsible for McCullough's formal introduction to a socialist organization. McCullough had heard Atkinson on his soapbox in Cathedral Square one Sunday afternoon late in 1896. Jack wanted to hug Atkinson for the beauty of his oratory and he told him so, which embarrassed Atkinson immensely. Thereafter, McCullough joined Atkinson on his soapbox "doing our best expounding socialism according to our light every Sunday afternoon, more

28. Atkinson Papers, Box 1 folder 1, J. Cullen to McCullough, undated (c. July 1911).

29. N.Z.W., 22 October 1930.

30. CTLC Minute Book, 4 June, 3 July and 10 October 1898.

often, I think to very few".³¹. Atkinson had been directly associated with the British Labour Church and on his return to New Zealand in September 1896 he set up a local Socialist Church with McCullough as one of its three officials.

Despite Roth's suggestion that the power of Harry Atkinson's oratory converted McCullough to christian socialism, McCullough was already critical of formal christianity and he was ready to be converted. Of course, there were other societies which McCullough, with an inclination to christian socialism, could have joined; for instance, the Society for Social Ethics whose headquarters were in Christchurch or the New Zealand Fabian Society or Rev. O'Bryen Hoare's Our Fathers' Church.³². Like the Socialist Church, they were all small groups of men and women who met weekly and listened as speakers addressed them on topics ranging from the history and definition of socialism in general to local preoccupations such as New Zealand's land laws. What distinguished the Socialist Church, in McCullough's view, was that instead of opinionated or enlightened inactivity, the Socialist Church's official doctrine was the gospel of socialism which it preached on the streets. It sought to achieve socialism by political means. In 1896 McCullough believed that self-educated working people through practical christianity could initiate political socialism in his lifetime. The Socialist Church seemed the appropriate organization to associate himself with: "it is a political church or trade

31. Roth, H., 'In Memoriam: Harry Albert Atkinson', Here and Now, 51, June 1956, p.19.

32. Atkinson Papers, Box 1 folder 3. It would appear from the collection of pamphlets on these organizations that Atkinson was either involved in them or that he followed their activities closely.

union church, a socialist church" Atkinson proclaimed. "It is founded in the belief that religion of the people is at the root of social change."³³.

Socialism changed McCullough. For instance, he set himself against gambling although he had followed the horses closely in the early nineties and was to indulge in the occasional guilt-ridden fling later on. He became a temperance supporter, attending Band of Hope meetings, although he himself continued to enjoy moderate 'social' drinking. (There always remained a tension between McCullough's ideals and his acquired culture of many years.) More importantly, with Atkinson's direction, McCullough began a reading programme of great breadth which ironically confirmed for him that the movement for change was trade unionism. Although McCullough was to remain a lifelong close friend of Atkinson's, their goals began to differ. McCullough decided that most workers were not going to become christian socialists; the Socialist Church was a middle class group which was not going to initiate change. Despite its comparative warts, McCullough was attracted to the union movement by its clear working class origins. Thus, McCullough entered the CTLC seeking to make the growing Council a vehicle for socialism which the Socialist Church was proving not to be.

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33. New Zealand Liberal and Labour Associations Directory, 1897, pp.10-12.

In terms of his objectives as a socialist, McCullough was opposed to much of the CTLC's policy. In his view, the major obstacle was the close alliance of the CTLC with the prevalent liberal ethos. The alliance between labour and liberalism in Christchurch generally had become firm after 1890 with the Liberals being politically secure in the city. Prominent Christchurch unionists such as C. J. Rae of the Railways and E. Gibbons of the Wharf Labourers' Union had aligned themselves with the succession of Liberal organizations which organized the labour vote: the Working Men's Political Association, the Knights of Labour, the Industrial Political Union, the People's Political Association and the Canterbury Liberal Association.³⁴ The most prominent local Liberal politician, W. P. Reeves, gathered around him a Christchurch group of Liberals who unofficially disassociated themselves from Seddon's Government, mainly on the labour plank. Reeves' policy in the local electorate was to encourage suitable working class candidates and unionists like W. W. Tanner of the Bootmakers' Association and E. Sandford of the Typographical Association, to represent labour in politics through Liberalism. This made the Liberal hierarchy less an exclusively middle class group in Christchurch.

McCullough objected to the manner in which the CTLC trusted its Liberal allies and left labour bills in the hands of Reeves, so much so, that the Wellington TLC expressed astonishment at the apathy of the CTLC towards labour bills.³⁵ Reeves, of course, was the parliamentary architect of New

34. Ell Papers, for some evidence of this close alliance in Ell's scrapbooks of newspaper cuttings and letterbooks.

35. CTLC Minute Book, 3 September 1892 and 2 November 1895.

Zealand's famous Liberal industrial legislation. His role in 1890 as the editor of the union-supporting Lyttelton Times and a self-confessed state socialist attracted a considerable amount of cabinet criticism.

The CTLC defended Reeves, for example, against Scobie McKenzie's accusations that Reeves had incited the Maritime Strike.³⁶ This probably only convinced McKenzie and his colleagues of Reeves' complicity. In 1895, against a critical cabinet, Reeves strove to gain unanimous support from the Labour Movement. His vehicle for this was the CTLC. The Liberals in Christchurch had played a part in forming the Council in 1890 and although it was weak, it had a high local profile and was regarded as the 'voice' of labour.³⁷ Reeves convened a special meeting of the CTLC and made it clear to the thirteen men who attended that he wanted the support of the combined Trades and Labour Councils' (TLCs') Conference which the CTLC was about to host. Reeves held out the promise of future legislation in return for unionists' co-operation. To hold any hope of this, Reeves had to defend Seddon against reports that he had decided against further labour legislation for fear of a public revulsion at over-consumption. Reeves' defence, however, was more like a declaration of independence:

As far as he [Mr Reeves] was concerned when the Liberal Party said that legislation in the interests of the workers should stop, he should at once leave that Ministry or Party and gather around him those who were still prepared to advance.(38).

36. ibid., 28 July 1892.

37. Atkinson Papers, Box 1 folder 1, F. C. Gerard to J. Barr, 2 October 1909.

38. CTLC Minute Book, 9 February 1898.

The CTLC's liberalism and its recently acquired status was not something that it was likely to throw away and when McCullough joined he was well aware of this. So whatever Reeves' personal wishes were, Christchurch labour did not follow him into the oblivion his ministerial resignation and exile to London as High Commissioner represented. There were a number of reasons for this. First, whatever its limitations, most Christchurch workers supported the Liberal legislation so far enacted. Second, prosperity in Canterbury was not conducive to labour discontent. Third, and most importantly, local industrial relations had improved and this was, similarly, not conducive to labour discontent. An anti-labour Employers' Association had been formed by the Industrial Association and the Chamber of Commerce during the Maritime Strike.³⁹ By 1900 Christchurch had the greatest number of employers organized in New Zealand.⁴⁰ However, many disputes were amicably settled with the CTLC acting as a conciliator. The CTLC was able to confer and agree with urban employers on a range of issues from protection and the petition that government support local industry to the formation of a Technical Institute. In 1898, the CTLC could not provide the basis for an independent labour party as McCullough wanted. In this, with its close alliance with the Liberals and co-operation with employers, the CTLC resembled its counterpart in Melbourne.⁴¹ When the question of independent labour

39. Canterbury Chamber of Commerce Minute Book, 3 September 1890.

40. CEA Annual Report 1900, p.5.

41. Tanner, Lindsay, 'A Protracted Evolution: Labor in Victorian Politics 1889-1903', Labour History, 42, May 1982.

candidates sponsored by the trade unions in each centre was raised, the CTLC delegates continued to consider, as Charles Taylor had when the issue was raised for the first time at the TLC Conference of 1896, that the scheme to run separate candidates in Christchurch was farcical.⁴² Christchurch had an early tradition of labour involvement in Liberal politics which proved effective but labour was subsumed within Liberalism and was unable and unwilling to break the bond so recently cemented.

McCullough believed, however, that there was a possibility that the coterie of socialists which he led would be able to organize an independent political party based on the trade union organization. While liberalism was pervasive in Christchurch and was an obstacle to independent labour politics and socialist unionism, Christchurch liberalism was dividing from within. The temperance question had formally split the Liberal organization in September 1893 and prominent prohibitionist figures like T. E. Taylor had subsequently aligned more directly with the Labour cause. By 1896 the rebel Canterbury Progressive Liberal Association ran separate parliamentary candidates from the Canterbury Liberal Association. The issues which became important were the labour legislation, the propriety of Seddon's administration and the municipalization of local government enterprise.⁴³ The CTLC, as a result, split over its allegiance to two Liberal organizations. The socialists were not duched by the Progressive Liberals

42. Trades and Labour Councils of New Zealand. Report of annual conference held at Invercargill, April 1896, Christchurch, 1896, p.6.

43. Atkinson Papers, Box 1 folder 2, Progressive Liberal Association's leaflets.

but their voice was more readily aired in a divided party. Indeed, the socialists and Progressives became informal allies.

McCullough's socialist coterie were opposed by a group of Liberal-Labour supporters within the CTLC. This conservative group was based upon the Carpenters' Union, a craft union of skilled and relatively well-paid workers who neither discussed politics nor subscribed to any political association. As a body, they divorced unionism from politics but almost to an individual they were ardent Liberal Party supporters. They were led by Henry Rusbridge, a carpenter, who was later joined by John Barr, a stonemason. Barr, a British emigrant who arrived in New Zealand in 1902 after spending some years in Canada, was reputed to be well-read, earnest and an impressive speaker. He rapidly rose to prominence in the CTLC.⁴⁴ In the struggle within the Canterbury labour movement, Rusbridge and Barr were to become McCullough's chief rivals. Thus, the labour movement in which McCullough moved in the first decade of the twentieth century reflected the division which gripped the wider working class organization of the country as a whole.

With his growing local reputation, McCullough was sought after as a likely political candidate by members of his own union coterie. It was not until 1899 that the local CTLC attempted to stand 'bona fide' Labour candidates. This was a clear challenge to the policy which had been popularized by Reeves of the Council supporting the Liberal ticket which

44. Robinson, K. W., 'A History of the Political Labour Movement in New Zealand 1850-1913', unpublished M.A. thesis, University of New Zealand (Canterbury), 1937, pp.74-75.

Trades and Labour Councils' Conference delegates
1900

Trades and Labour Councils' Conference delegates
1903

McCullough (second from left in the back row). The involvement of Independent Labourites in the trade union movement marked a turning point at the turn of the century. McCullough "... threw himself heart and soul into what was then the infancy of the trade union movement-not the birth ... He was at the birth of the Labour party - not the Labour party as we know it to-day, but the first strivings of the workers for independent Labour representation ...". (Peter Fraser, N.Z.P.D., vol.227, 1947, p.113).



included prominent unionists. Indeed, 'Labour' had been represented by lawyers, schoolteachers, publicans and employers, as much as by trade unionists. The attempt in 1898 to run CTLC candidates on a union ticket was initially opposed outright by the Lib-Lab faction. They later decided to support one Lib-Lab candidate, Charles Taylor, secretary of the Amalgamated Society of Carpenters and Joiners.⁴⁵ This scenario was repeated in 1901 but on this occasion the issue was more keenly debated. Even the Lyttelton Times regarded McCullough as a better labour candidate than Charles Taylor, declaring it had "no knowledge of its [the CTLC's] reasons for selecting Taylor nor why Mr McCullough is not coming forward but there is no comparison between the political knowledge of the two men".⁴⁶ McCullough had not sought selection and probably would not have stood if he had been nominated. He was a nervous speaker who sought to avoid public appearances. He had little inclination to stand for Parliament on this and numerous subsequent occasions because, he asserted,

... I am a Socialist who believes that the only thing that will really benefit the wage earners and wealth producers is the National Ownership and the Democratic control of the means of life. This belief of mine would have to be expressed in a modified way if I became a candidate and wished to win the seat ... (47).

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45. CTLC Minute Book, 1 July 1899. Rusbridge Papers, Charles Taylor's election circulars.

46. McCP., newspaper clippings, vol.2, L.T., undated (c. November 1901).

47. McCP./ D3, 1 August 1911.

McCullough thus made a deliberate choice not to attempt to enter politics as a parliamentarian. He considered the reorganization of New Zealand's political society was an important priority so he put effective organization before parliamentary participation. Beyond union organizing, McCullough was most concerned with two particular Christchurch organizations, the Co-operative Society and the Socialist Party.

McCullough's involvement in the Co-operative Society was to teach him the extent of employer opposition to socialism. The Co-operative Society was well established before he became involved with it. In June 1889 eight members of the Addington Workshops decided to form a co-operative supply store.⁴⁸ James Hislop and John Efford, who had been members of a Glasgow and Devonshire Co-operative respectively, led the small society of about twenty shareholders. The operation of their Colombo Street shop was immediately opposed by a league of traders who attempted to boycott the venture. The New Zealand Farmers' Co-operative Association unwittingly became the supplier to the workers' co-operative. The successful railwaymen were joined in 1895 by local bootmakers who formed a co-operative boot factory when a dispute with a local firm, Maine Brothers, remained unresolved. Joint ventures by the Co-operative Society with the CTLC such as a co-operative butchery followed.

McCullough remembered writing in his copybooks as a child in Liverpool the headline "competition is the life of trade". He had now become enamoured of the Ruskin adage that

48. New Zealand Co-operative News, 1/1, Christchurch, 12 March 1904, p.5.

co-operation was the 'Law of Life' and he enthusiastically joined the co-operative movement. He became a Co-operative Committee member about the turn of the century and he was particularly involved in the bakery project. The Society responded to the formation of the Canterbury Master Bakers' Industrial Union of Employers registered under the IC and A Act and objected in particular to two of their rules: rule two stated that the purpose of the Association was to regulate the price of bread and rule twenty-eight proposed the boycott of non-member bakers and millers. When the co-operative set up a bakery in 1902 this 'Flourmillers' Trust' refused to sell the co-operative flour.⁴⁹ Working people would not buy the bread which was made of a lower quality substitute that was obtained from another source.⁵⁰ The co-operative eventually went into voluntary liquidation mainly due to this unsuccessful bakery business.

The nature of labour and capital relations in the Canterbury district and experiences like the Co-operative Society gave McCullough a sound preparation for his future role on the Arbitration Court. From as early as 1897 town and country employers had taken steps to monitor trade union activity in the city. They were well aware of the sectional divisions within the labour movement and sought to exploit them. The employers' associations' leadership wanted a political alliance against socialism and began to get their houses in order. The Chamber of Commerce was reorganized in 1897 and a

49. Napier Daily Telegraph, 29 November 1901. Rusbridge Papers, for circulars such as 'The Staff of Life Again'.
 50. Christchurch Truth, McCullough's column, 'Labour and its Doings', 2 June 1906.

special incentive of a half subsidy was offered country members who joined.⁵¹ In particular, they sought a united front with the New Zealand Farmers' Co-operative and the Agricultural and Pastoral Association. More importantly, the Canterbury Employers' Association reorganized in August 1899 and by 1900 it was the largest of its kind in New Zealand.⁵²

The labour movement was also reorganizing. McCullough was a member of the CTLC's executive which devoted itself to the question of forming a Socialist Party under the auspices of the CTLC in September 1901. The executive's general report was adopted and McCullough convened a special committee to draft a platform which was duly adopted. Rusbridge and other Lib-Labs failed to prevent the formation of a Socialist Party, however they successfully opposed the exclusion of employers from its membership rules and they limited the liability of the CTLC to the first meeting.⁵³ They would not co-operate with the attempt to consolidate the labour vote under a socialist objective. In 1902 McCullough was again nominated to represent the CTLC in a General Election. The Council had decided to run three candidates.⁵⁴ The Lib-Labs mustered their support

51. Canterbury Chamber of Commerce Minute Book, 22 July and 10 September 1897.

52. CEA Annual Report 1900-01, pp.5-6.

53. CTLC Minute Book, 5 October 1901. Smith, V. J., "Gospel of Hope" or "Gospel of Plunder" Socialism from mid 1890s up to and including the Blackball Strike of 1908', research exercise B.A.(Hons.), Massey University, 1976, pp.42 ff. Smith attributes the formation of the Socialist Party in Christchurch to Fred Cooke in January 1902 and cannot explain why the "CTLC missed the opportunity of collaboration and gave only ambiguous support" to the Party.

54. CTLC Minute Book, 27 September 1902.

and successfully challenged the legality of the Council's financing an election campaign under its constitution. Charles Taylor again became the only CTLC candidate. The Council resorted to the old policy of endorsing candidates who supported the official platform. No candidates were endorsed in five country electorates, although A. Ager was selected for Ashburton and G. Laurenson, W. W. Tanner, G. W. Russell, C. Taylor, H. G. Ell and T. E. Taylor, all Independent Liberal candidates, were endorsed for the city. A draconian motion which threatened expulsion if they publicly opposed any of these candidates induced an appearance of unity in the CTLC for the time being.

The turn of the century, then, constitutes a turning point. Having promised so much the local Liberals found it difficult to fulfil expectations. When H. G. Ell first attended Parliament in 1900 he wrote to McCullough that he and Millar had made improvements to the IC and A Act which were useful and with which he was satisfied:

... we were fortunate getting as many improvements inserted. The House is more progressive than I dreamt it would be respecting Liberal legislation, but we have a long way to get before perfection is reached. (55).

The whole situation had changed by the next session. Ell wrote to another Christchurch unionist, F. Nott, of the changed tone of the House of Representatives which he attributed to the influence of the newly-formed Farmers' Union (FU) and the country members' adversity to labour legislation.⁵⁶ The

55. Ell Papers, Box 1 folder 1, H. E. Ell to McCullough, 29 September 1900.

56. *ibid.*, H. G. Ell to F. J. Nott, 22 August 1901.

Progressive Liberals in turn split over acceptance of this changed liberal tone and a group led by T. E. Taylor took a more labour tack which was to lead to the 'New Liberal Party' of 1905.⁵⁷ This coincided with a deterioration in industrial relations. Locally, for instance in 1901, after conferring on the question of inserting a preference clause into all local agreements between unions and the Employers' Association, the CTLC and the Employers' Association resorted to publicly denouncing each other.⁵⁸ The political terms of reference were changing and industrial relations were becoming less harmonious. An independent labour party, as McCullough had envisaged became a more viable proposition after 1901.

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Between 1903 and 1907, McCullough gained a reputation as a labour agitator. More than one journalist was surprised to find upon meeting McCullough that, even though they didn't agree with his opinions, he was not an irresponsible firebrand:

... in private life, at any rate [he is] ... a modest, unassuming man, with a good deal of native ability, a ready gift of speech and a conciliatory nature ... [he] longs insatiably to improve the condition of his class. (59).

57. Whitcher, G. F., 'The 'New Liberals' of 1905', Historical News, 20, March 1970.

58. Booth, G. T., The Unionist claim for preference; address delivered to the Canterbury Employers' Association, Christchurch, 1901. CTLC Minute Book, 1 October 1901. Crowley, D. W., 'The New Zealand Labour Movement, 1894-1913', unpublished M.A. thesis, University of New Zealand (Otago), 1946, pp.23-25.

59. Temuka Leader, 29 October 1907. See also L.T., 19 November 1907.

McCullough attracted his revolutionary image for three principle deeds: as a union organizer for the Canterbury farm labourers, McCullough incurred the wrath of the Canterbury farmers; as a socialist leader and political opponent of the Liberal government, McCullough became the enemy of a number of employers on the one hand and Lib-Labs on the other; as a publicist and soap-box propagandist in a deteriorating industrial climate, McCullough appeared an intemperate unionist to the local public.

After joining the CTLC in 1898, McCullough rose rapidly within its ranks. He was elected vice-president in 1899 and president in 1901. He represented the CTLC on many delegations and served on most of its numerous committees. In 1901 McCullough helped to organize seventeen unions and he soon became established as a CTLC political and industrial spokesman.⁶⁰ When the question of organizing farm labourers was raised in January 1902, McCullough naturally played a leading role. The organizing committee consulted the Australian Labour Federation in Brisbane about organizing country workers and obtained copies of the Australian union's rules. Progress was only made, however, through initiatives from within the country districts. In September 1902 the Waimate Agricultural and Pastoral Union of Workers, the Canterbury Shearers' Union and the Canterbury Traction and Stationary Engine Drivers' Union sent representatives to the CTLC to personally urge that they send their experienced and enthusiastic organizing

60. M.W., November 1910, Hiram Hunter's comments, for example, on McCullough's involvement in the formation of the Canterbury Drivers' Union.

missionaries.^{61.} The CTLC had built up mana for its mediation in a dispute between the Waimate Workers' Union and the Shearers' Union and for its action in calling upon the New Zealand shearers not to cross the Tasman to break an Australian shearers' strike. The report by the committee convened by McCullough resulted in a public meeting with revelations of deplorable working conditions and low wages for farm labourers in the Canterbury district.^{62.} A union was formed when farm labourers like Ted Kennedy were encouraged to emerge from the ranks.

McCullough worked to get an Arbitration Court award, indeed, both factions of the CTLC were united in this goal. The CTLC thought they had Seddon's support and would gain an award if they organized a union. McCullough had his personal doubts about Seddon's support. He once described Seddon as having "sprang from our own ranks; he could talk our language, he knew our requirements, and while he did not always please some of us, he had the faculty of convincing many among us that he did the best he could."^{63.} McCullough knew the opposition the Farm Labourers' Union (FLU) faced but he had high hopes for success on the issue of an arbitration award. With a dispute in the Arbitration Court's machinery, the Lyttelton Times' editor's hope that the FLU and FU would work harmoniously together to improve farm labourers' conditions became a faint Liberal fantasy.^{64.}

McCullough was elected president of the FLU in 1906 and as

61.. CTLC Minute Book, 27 September 1902.

62.. L.T., 28 July 1903.

63.. Christchurch Truth, McCullough's column, 13 June 1906.

64.. L.T., 28 July 1903.

the leading urban unionist or 'Communist townie' he was singled out by the North Canterbury Farmers' Union (NCFU) spokesmen like H. D. Acland and D. Jones as a trouble-maker. Other unionists suffered the fate of Ted Kennedy who had been sacked from nine farm positions before 1907 because he had been an officer in the FLU. Jimmy Thorn, a fellow worker at Addington Workshops, had accompanied McCullough on his bike over the gravel roads across Canterbury speaking to groups and performing the more arduous job of visiting individual farm labourers. He wrote later of the prejudice and unpleasantness they had encountered first hand from farmers.⁶⁵ The antipathy between leading farmers and urban trade unionists was long-standing. From 1889, for instance, the newly formed CTLC had helped extend the agricultural and trade societies in its district so that they constituted more than twenty percent of the CTLC's affiliations. In the process they complained that they encountered considerable opposition from farmers, particularly in the Kaiapoi district.⁶⁶ A point of contention for the railway unionists continued to be that the Addington Railway Workshops closed for a week for the extensive agricultural show.⁶⁷ There was no pay without work.

Most historians emphasize the continuing factor of land as being the point of contention between urban trade unionists and farmers.⁶⁸ When McCullough represented the CTLC before the 1905 Royal Commission on land tenure the Commissioners pointed out to him the considerable antagonism that was being

65. Thorn, James, The Formation and Development of Trade Unionism in Canterbury, Preface, personal note.

66. CTLC Minute Book, 16 February 1890.

67. New Zealand Railway Review, January 1905, pp. 3-4.

68. Brooking, Thomas W. H., 'Agrarian Businessmen Organize', unpublished Ph.D. thesis, University of Otago, 1977, chapter 9, is an exception.

generated between town and country over the CTLC's tenure policy.⁶⁹ However, the policy of land nationalization which McCullough enunciated, the taxing of the unearned increment and the cessation of the sale of Crown land, had been the policy of the Progressive Liberals for fourteen years. Moreover, the CTLC had little idea of the policy of other TLCs, indeed, they had not even discussed amongst themselves such practicalities as retrogressive taxation or the repurchase of Crown land. A hazy land policy became important because it coincided with three other events. First, farmers faced local economic difficulties. The combination of immigrants being attracted to the North Island as well as local males resulted in a local rural labour shortage.⁷⁰ Two economic worlds were at odds and an ironic situation was to arise where Christchurch unemployed spokesmen demanded the Minister of Labour restrict immigration and expand public works one day and the very next day a FU delegation demanded an immigration scheme to combat the labour shortage in rural South Island and to complain of socialistic legislation like certain public works' projects.⁷¹ Second, a social revolt against the mythology of an open society was slowly being articulated. Laracy was one of a number of rural workers who were joining unions and countering, publicly, spokesmen's claims that the farm labourer of today

69. A.J.H.R., 1905, C-4, 'Report of the Royal Commission on Land Tenure ...', McCullough's evidence, pp.518-528.

70. Thompson, B.J.G., 'The Canterbury Farm Labourers' Dispute 1907-08', unpublished M.A. thesis, Canterbury University, 1967, chapter 1.

71. P.S., 30 July 1908. CTLC Minute Book, 28 July 1906, the Council was united in the opinion that the New Zealand labour market was saturated.

was the farmer of tomorrow:

I would like him [Maslin] to explain through the columns of the Leader how the men (and there are many) who receive 6 shillings per day and find themselves are ever to become farmers under the prevailing conditions in God's Own Country. (72).

Third, farmers saw the rise of rural unionism as part of an assault upon their political power. The South Island farmers had lost three rural seats in the House of Representatives between 1891 and 1897 while the North Island gained three seats and the trend appeared to be continuing.⁷³ The rise of Labour as a social and political organization was not uniform in New Zealand, indeed, Christchurch during the first decade of the twentieth century became a leading Labour centre. Christchurch socialists like McCullough did not eulogise the rural pioneer or adhere to the rural producer cult. McCullough, for instance, viewed the Canterbury settlers and their descendants as the prodigal sons of the best families in Britain who had been determined to maintain their privileges under the Wakefieldian system and who had been quite successful in reproducing old country conditions in Canterbury.⁷⁴ Trade unionists such as McCullough were joined by Progressive Liberals in their Christchurch bastion to seek the abolition of the country quota which weighted country votes. The farmers began to organize to protect their position.

McCullough epitomized the political threat of labour to union opponents. Although he was a socialist, he became a

72. Temuka Leader, 29 August 1906. See also Timaru Herald, 20 and 23 May 1907.

73. New Zealand Census, 1897, p.22.

74. N.Z.W., 22 October 1930.

respectable land-owner. His family moved to Princess Street, Lower Riccarton, a working class suburb which was close to the Addington Workshops. From a small cottage they moved down the street to a house and section where McCullough kept a large garden, fowls and a cow. After joining the Court McCullough was able to do 'his best' for his children; he gave his daughter the section 'next door' and he bought rural land at Kawhia for his sons. He also bought land on Clifton Hill, Sumner, with Atkinson and a few other socialists and attempted a 'socialistic experiment'. However, it soon collapsed and each attended to their own four acre block. McCullough wanted to nationalize land but in the meantime he 'played by the legal rules'. He told the Land Commissioner in 1905 that he "would certainly as a selfish man prefer the freehold - it seems to me only natural that I should do that - but I think we have a right to legislate for the whole community and not just for the individual."⁷⁵ McCullough's very respectability, indeed, made his politics 'dangerous' to his opponents.

McCullough's political platform after 1905 became the Independent Political Labour League (IPLL). The Socialist Party was not popular, least of all with the Christchurch trade unionists. McCullough had had to chair a meeting to 'revive' the party in 1904.⁷⁶ He found it a 'sacrifice' to leave the Socialist Party but the new organization John Rigg established in 1905 approximated more closely to the national socialist party based on the trade union organization he had hoped the Socialist Party would have been. Of course, the CTLC was divided on the

75. A.J.H.R., 1905, C-4. 'Report of the Royal Commission on Land Tenure ...', p.521.

76. L.T., 13 September 1904.

Canterbury Trades and Labour Day Committee 1904

(McCullough fifth from the left in the back row). This seemingly united group was divided into two factions; the Independent Labour faction led by McCullough and the Lib-Lab faction led by Henry Rusbridge (third from left sitting) and John Barr (at far right sitting). Barr became MLC, first Master of the Sumner Masonic Lodge and Mayor of Sumner. He and McCullough were inveterate opponents.

Political Labour League of New Zealand's first Conference, Christchurch 1905

(McCullough, first on the right in the back row) McCullough, Darlow and Campbell constituted the organizing subcommittee. "The democratic political movement was growing very fast in Christchurch, and I think that possibly the first conference to form an independent Labour party was held there. We of that time had what we called a Liberal-Labour Federation. The Trades and Labour Council and all the organized workers stood steadfastly behind the old Liberal-Labour Government. There was a gradual breaking away to form an independent party, and ... Mr McCullough played a very important part. He and Mr McBride were associated and, I think, Mr "Bob" Whiting was secretary." (Frank Langstone, N.Z.P.D., vol.227, 1947, p.117).



IPLL scheme. Its delegates to the 1904 TLCs' Conference had been the only delegates who opposed the party's formation and Barr was censured for the vehemence of his attack upon the proposal. The national proposal was adopted by the CTLC on the strength of a single vote. Rusbridge and Charles Lafferty's attempt to get the CTLC to protest against the action of the Conference in censuring Barr was narrowly defeated by two votes.⁷⁷ This debate over the IPLLL indicated that the Independent Labourites were making ground. The CTLC had become very evenly divided. The Lib-Labs attempted to counteract the IPLLL and, ostensibly in protest at the 'elaborate pledges' demanded by the IPLLL, Barr and Rusbridge helped H. G. Ell to organize the New Zealand Workers' Political Association (NZWPA) in 1906.⁷⁸ The Association, however, failed to sink deep roots and lasted for one election only. Despite this kind of opposition, the Christchurch branch of the IPLLL became the most successful branch in New Zealand with a membership of over 1000 men and women. The 'lady members' were first invited to attend the business meetings in 1906. They organized the series of socials held in Trades Hall which ensured the success of the League.⁷⁹

The formation of the IPLLL marked a deterioration in the relationship between McCullough and Barr. Their verbal warfare filled the pages of the Lyttelton Times 'Letters to the Editor' in 1905 when McCullough championed Jimmy Thorn's candidature against H. G. Ell who was defended by John Barr. In 1906, Barr's call for the CTLC to strongly repudiate McCullough's 'disloyal'

77. CTLC Minute Book, 16 April 1904.

78. Rusbridge Papers, NZWPA pamphlets.

79. Christchurch Truth, McCullough's column, 25 August 1906.

and 'malignant' statements over issues of management during the Tramway Board election was only narrowly defeated. These two scribing gladiators filled the columns of the Temuka Leader when Barr was nominated to the Legislative Council early in 1907. McCullough claimed he could produce a dozen men like Bob Winter and Jack Fisher who had earned the honour of a seat-in an obsolete House that 'even Seddon' had been committed to abolish-many times over before Barr had ever arrived in New Zealand. McCullough claimed Barr had earned his honour for services to the Liberals and not to Labour.⁸⁰ The election of delegates became major battles to McCullough and Barr and their respective retainers. In 1907, for instance, McCullough, Thorn and Gohns were elected over Barr, Rusbridge, O'Brien and Forde by the CTLC. McCullough described this result to his Dunedin friend, J. T. Paul as a triumph; "less you are not conversant with these names" he informed Paul, the defeated group were "the President, Vice-President(2) and the Secretary of the WPA. It was a glorious victory".⁸¹ Glorious though this battle was, the war was to drag on for many years. McCullough was the last one to dismiss his opponents prematurely to the dustbin of history.

McCullough's selection by the TLCs' Annual Conference for the position of WRAC in 1907 must be placed in this context of a power struggle between Lib-Labs and Independent Labour factions. His selection, then, was not only a matter of personality and union infighting over the single arbitration

80. Temuka Leader, 12 November 1907.

81. McCP., Outward Letter Book, McCullough to J. T. Paul, 16 January 1908.

issue. During 1907 McCullough was subjected to intense lobbying. Early in the New Year, he was approached by Arthur Paterson and Ted Howard, secretary and president of the Christchurch Labourers' Union, asking him to stand for the position of WRAC. This was the first of many requests which McCullough refused.⁸² The CTLC officially supported Robert Slater, a clothingfactory employee by profession and the sitting member for the position. At the TLCs' Conference at the end of March, McCullough learnt that the majority of the delegates were adamant that Slater had to go and threatened that if he did not stand they would support Bob Breen.⁸³ Because McCullough thought the election of Breen would be 'calamitous' for the labour movement, he agreed to be nominated. Of course, Breen was also a member of the IPLL. While he and McCullough did not differ philosophically, they were at different ends of a continuum measured in activity. For instance, when Breen heard that the Christchurch branch of the IPLL was going to contest the 1907 Municipal Elections and had about a dozen unions affiliated for that purpose, he was not enthusiastic. Thorn eloquently explained this to Paul:

Breen says re- our branch, "I like your pluck but hang it man what is there to fight as far as the workers are concerned. There seems to be nothing at the present time, surely you would not have us waste our strength with shadows? If I want to see a statement like that I go to the hypocritical Liberal Press. Nothing wrong. Millar (labour man) is going to build houses on 40 feet streets and to give workers cheap rents? Nothing wrong and the Municipal Council in the hands of greedy rack-rent landlords.

82. McCP/D1., 27 January 1908.

83. McCullough's selection was not the only contentious issue at this conference. Rosser made public some of the disagreement in an interview, Dunedin Star, 5 April 1907.

and money grabbing employers. Nothing to growl about and socialism not nearly in sight. What a queer doctrine for a Labour man ... The Labour man that has no grievances is a Liberal and he ought to be in the WPA. (84).

McCullough was well aware of Breen's position and considered that the election of Breen as WRAC would have been detrimental to the interests of the Independent Labour cause.

Political infighting is a commonplace and in 1907 Slater misread the signs. He persisted in believing that there was no significant difference between his politics and those of McCullough.⁸⁵ Robert Slater, the sitting member since 1895 was accused by McCullough's supporters of being 'old' and 'useless', and neither sufficiently aggressive nor strong enough. Slater's supporters countered by arguing that the Arbitration Court had been of service but that recently its decisions, due to maladministration, had been biased.⁸⁶ In the contest between Slater and McCullough, the incumbent had the more difficult case to put. The growing disenchantment with the Court and its pronouncements spilled over all too readily into a criticism of the workers' representative before the Court. McCullough on the other hand was able to develop an effective critique. In his view, the workers of New Zealand had been in a better position in 1897 to 1899. when wages had been first raised than in 1895 prior to the institution of the Arbitration Court. However, since 1899 the benefits of the increased wages had been counterbalanced by

84. Paul Papers, MS.982/194, J. Thorn to J. T. Paul, 23 January 1907.

85. Trades and Labour Councils of New Zealand. Report of annual conference held at Dunedin, March-April 1907, Christchurch, 1907, pp.35-37.

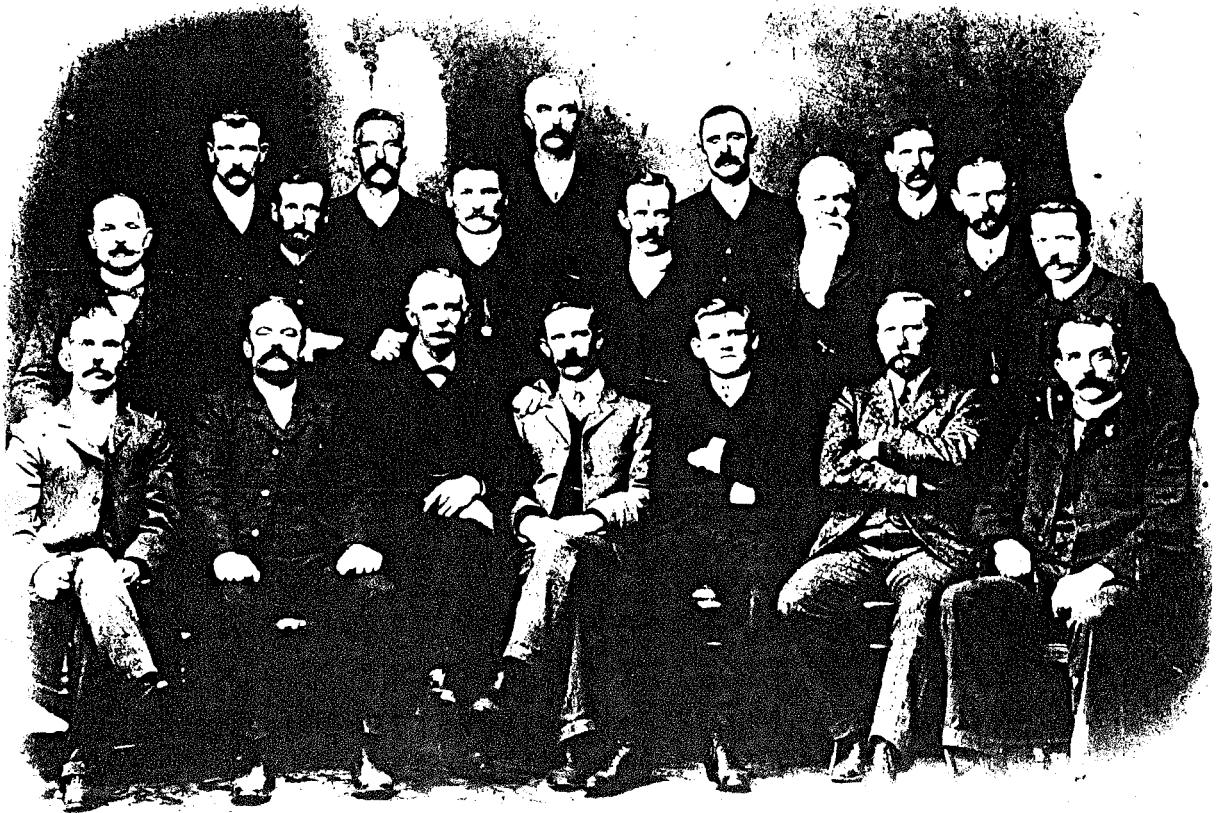
86. McCP., folder 1, R. Slater to McCullough, 29 May 1907 and McCullough to R. Slater, 2 June 1907.

Robert Slater, Workers' Representative on the
Arbitration Court 1907

He was a clothing factory presser, the first president of the Otago Trades and Labour Council in 1889, the first president of the Trades and Labour Conference in 1891, a prominent member of Dunedin Workers' Political Committee from 1893 and Workers' Representative on the Arbitration Court, 1895 to 1907. Slater symbolized a decade of apparently harmonious industrial relations from 1896. His defeat to McCullough in 1907 represented a defeat for his Lib-Lab faction.

Trades and Labour Councils' Conference delegates
1907

(McCullough second from left at back) "In 1907, he [McCullough] attended the annual conference of the Trades and Labour Council in Dunedin. The delegates there prevailed upon him to stand as the workers' representative on the Court of Arbitration. He did not want to do so, and said there was a man already there and he did not want to take that man's position. We told him that we were putting up another man in any case and that he had better stand." (Tom O'Byrne, N.Z.P.D., vol.227, 1947, p.118).



the operation of other uncontrolled economic factors such as the increased price of commodities, the rising value of privately-owned land and increased rents, all of which contributed to the higher cost of living.^{87.}

Slater believed that while there was room for improvement, the general condition of the working man had improved and the hours he worked had been reduced since the establishment of the Arbitration Court. This was a matter to be proud of. The working man was better clothed, fed and housed, while his children had a better education. Although the cost of living had increased, it was for reasons beyond the control of the Arbitration Court. It did not bring the effectiveness of the Court into question. The employers had not suffered because they had passed on to the public any increases incurred in the Court's awards. Due to costly teething problems incurred in the export drive, especially in the dairy and meat industries, local prices of commodities had unavoidably risen. A different WRAC would not change the workers' position.^{88.} After the unprecedented circulating of unionists and the acrimony involved in the campaigns which followed the April Conference, the unions were well aware of these differences between Slater and McCullough.^{89.} They voted for McCullough because, above all, McCullough represented a new regime.

87. A.J.H.R., 1905, C-4, 'Report of the Royal Commission on Land Tenure ...', p.526.

88. P.S., 11 December 1907.

89. McCP., folder 1, campaign circulars. Thorn issued a circular on McCullough's behalf at the authorization of the TLC Conference on 20 April 1907, Slater replied. McCullough then issued his own circular on 17 August 1907 and this was followed by another circular from Slater in October. See also CTLIC Minute Book, 20 June 1907. The CTLIC executive issued a circular calling on Christchurch unions to support Slater but the general Council made them withdraw it.

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By 1907 McCullough's reputation as an able and loyal unionist was well known. He was elected to represent the members of the Workshops for their division on the Railways' Appeal Board for the Middle Island in 1902. After he had been presented with a petition signed by all but one employee in his department, McCullough stood and was elected as a candidate on the Government Railways' Superannuation Fund Board for one of the three seats. McCullough had gained popularity for his advocacy of unionists' views when submissions were called on Ward's bill.⁹⁰ Ward's scheme was an improvement upon the expensive insurance scheme the Commissioners had suggested in 1890 yet its sliding scale resulted in high contributions for employees over thirty and effectively excluded all long-standing employees. McCullough continued to be outspoken. He protested, for instance, over anomalies in railwaymen's wage increases and hours and the Superannuation Fund Amendment Act in 1906. Although Ward admitted an 'injustice' had been done to two or three thousand men they had to wait until the eve of an election before a Bill was introduced, let alone made law by Parliament. McCullough protested over the long-standing principle that service should culminate whether continuous or otherwise and that the ASRS should not have to buy back the pension rights of the railwaymen who had struck in 1882 and 1890 and had been punished with broken service.

90. Journals and Appendix of the Legislative Council of New Zealand, 1902, Select Committee on the Government Railways Superannuation Fund Bill, McCullough's evidence, pp.14-20.

As a result of his outspokenness against his Government-employer, McCullough collected union credentials and local repute. He was elected delegate to conferences, auditor for the CASRS and Chairman of the union in 1905 and 1907. He was connected with most of the important deputations of the Society which waited on ministers in Wellington. One Dunedin railwayman even played hagiologist for McCullough in a poem about him which was published in the New Zealand Railwaymen's Review in 1906:

... Of the masses just a unit toiling in a humble sphere,
 Ever hopeful, ever cheerful, so he daily labours here,
 But when wrongs are to be righted and injustices overthrown,
 Then McCullough's golden phrases speak a courage all his own
 ... (91).

Certainly, the railwaymen had no hesitancy in supporting McCullough for the position of WRAC. When the Railways' management dismissed McCullough from the Addington Workshops late in 1907, his working mates held an emotional smoke concert which was the largest testimonial ever given to a departing colleague. He was regarded as a "Cincinnatus" and received their highest compliment of being "a real white man".⁹²

It was not his union activity but McCullough's role as a publicist which had resulted in his file being under scrutiny by the Railways' management for a number of years. He had collaborated in a column for the CTLC in the Christchurch Co-operative News in 1904.⁹³ His union position and numerous letters to the editors of local papers won for him a weekly

91. New Zealand Railway Review, December 1906.

92. McCP/D1., 27 January 1908. See also New Zealand Times, 18 November 1907.

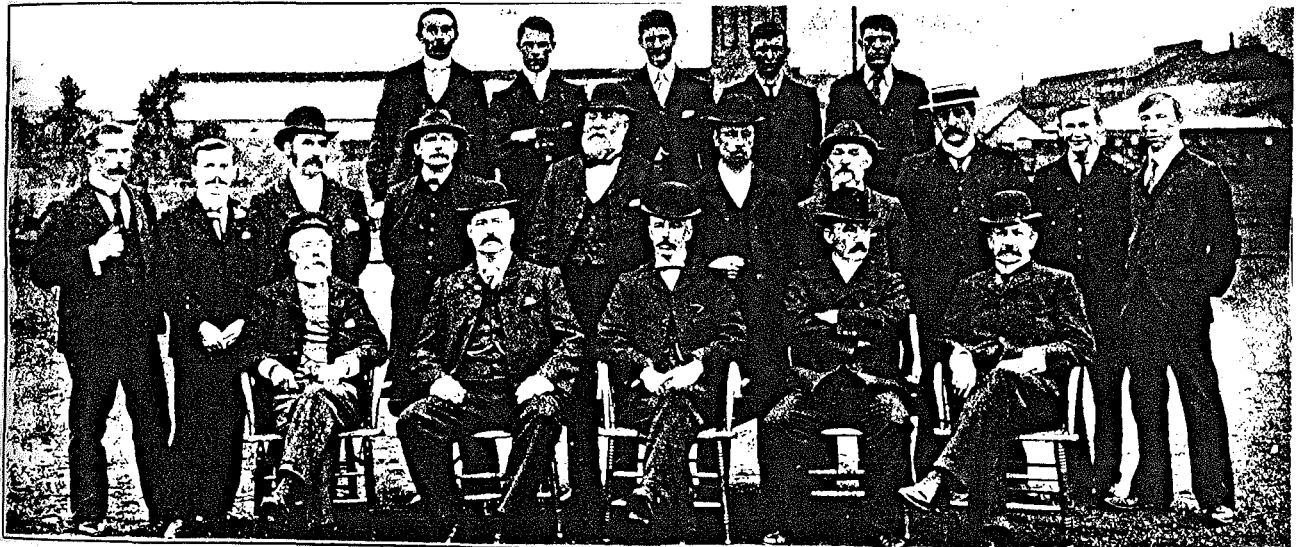
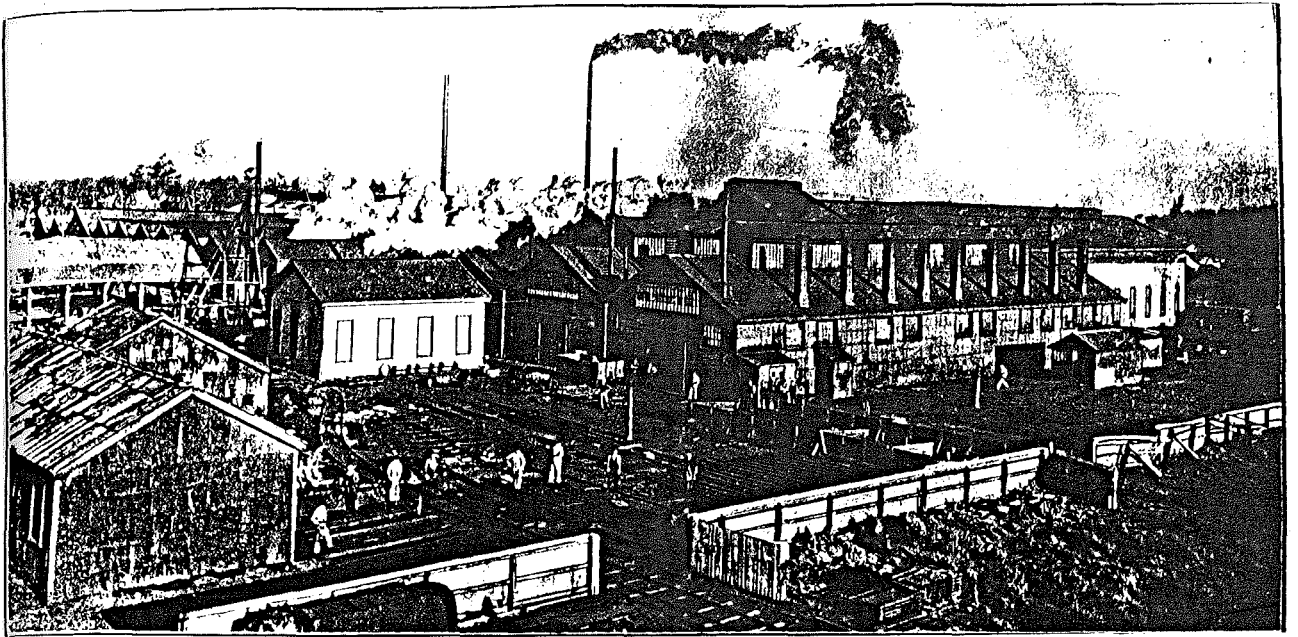
93. CTLC Minute Book, 7 May 1904.

Addington Railway Workshops 1902

Clerical and administrative staff

McCullough leading tinsmith at Addington Railway Workshops

(McCullough sitting eighth from the left in the second row). "I remember well when he was dismissed from the railway workshops at Addington because of his advocacy of better conditions for his workmates. He was a great tradesman and a marvellous workman ... I have travelled and fought with Mr. McCullough in the years gone by, and I have seen him - not dozens of times but scores and scores of times - put his hand in his pocket and give to some one hard up, perhaps his last half-crown. These are no exaggerations ...". (Bob Semple, N.Z.P.D., vol.227, 1947, p.115).



column in the Christchurch Truth.⁹⁴. This was an informative column which reveals his breadth of reading but which resulted in all employees of the Government Railway Service receiving a warning against contributing articles to newspapers and magazines.⁹⁵. The Department believed McCullough was the author of the famous "Compound Locomotive No 71" article which was critical of the Railways' management.⁹⁶.

McCullough earned his dismissal for his political activities. Rule number eighteen of the Government Regulations stated "members are not to take an active part in politics, beyond recording their vote". This rule had recently been invoked against a public servant who actively participated in the FU and an anti-Chinese campaigner to whom Ward wrote privately, admiring his stand but not condoning it from a public servant. In September 1907, as he had frequently done, McCullough put a motion to the Canterbury IPLL meeting calling upon the workers of New Zealand to break away from the Liberals and rally around the Labour Party and its Parliamentary candidates; the recent legislation, or rather lack of it proved that the Ward Government was not intent on reform and it was not to be distinguished from the Conservative Party.⁹⁷. A formal complaint over this resolution was made to the Addington Workshops and McCullough's colleagues all suspected that Jones, President of the NCFU, had made the complaint. Jones had called upon the Government a month earlier

94. McCP., newspaper clippings, vol.3, contains cuttings for most of 1906.

95. Christchurch Truth, McCullough's column, 23 July 1906. The Railway Department's circular was dated 30 June 1906.

96. New Zealand Railway Review, May 1906 and November 1907.

97. L.T., 6 September 1907.

to dismiss him for his IPLL involvement.⁹⁸ Whatever the source, the complaint resulted in McCullough being handed a suspension notice addressed to himself and entitled 'The Political Labour League'. He was suspended for "contumaciously taking an active and prominent part in politics contrary to the regulations of the Department".⁹⁹ McCullough protested that he had done this for twenty years and that he had still been a loyal and conscientious employee of twenty-five and a half years' standing. He pointed out that owing to the industrial system, his age and his job specialization it was unlikely he would get another permanent job working at his trade. Despite his arguments, McCullough was dismissed. The Government attempted to 'do a deal' with McCullough and have him comply in future with their rule. The Minister of Railways used Tom Paul as an intermediary. McCullough would have contemplated compliance to the Department's terms only in the interests of his family. However, Margaret McCullough, resigned to unionism, assured Jack not to change his 'bad habits' on her behalf.¹⁰⁰

The details of McCullough's election as WRAC have been well chronicled. It suffices to say that it was a close election which caused much discontent. Slater publicly stated that nomination papers had been filled in by the executives of some unions without being put to their members.¹⁰¹

98. Timaru Herald, 8 July 1907.

99. L.T., 18 October 1902, contains a summary of the correspondence between McCullough and the Railways' management.

100. New Zealand Times, 18 November 1907.

101. Evening Post, 21 March 1908.

McCullough complained at the disenfranchisement of the ASRS which was allowed only one vote for the entire Society after a complaint that the past practice of allowing each branch a vote was unlawful.¹⁰² Cabinet was very reluctant to appoint McCullough and the late gazzetting of the results only encouraged rumours that they would ignore the election result and appoint someone more amenable to the Liberal cause.

McCullough's dismissal from the Railways followed by his election to the Arbitration Court raises the question of whether or not there is a causal relationship between these two events. Slater was emphatic that "had this occurrence at the Addington Workshops never taken place, Mr McCullough would never have had the position".¹⁰³ It has been shown, however, that McCullough's election was more than the case of the 'self-martyred notoriety of the hour' posing as the champion of Labour and consequently winning the election. By 1907 the labour movement was divided on a range of issues and McCullough was the candidate of the rising faction of Independent Labourites. Until 1907, although capable, McCullough lacked the opportunity and the motivation to become more than a 'minor star' of local labour repute. In 1907, however, McCullough was the right man in the right place. His dismissal from the Railways did no harm and may well have strengthened his credentials as a leading figure in the rising faction. Whatever the precise reason for his victory, McCullough wasted no time

102. McCP., folder 3, unofficial E. Tregear to McCullough 6 December 1907.

103. McCP., newspaper clippings, vol.3, untitled cutting, 11 December 1908.

preparing for his new office.^{104.} He began by reading the Books of Awards. He bought a new set of clothes appropriate to his new position and vacated his stump in Cathedral Square. As he later put it, he had "secured a much better pitch" from which he would "be able to reach a more influential audience".^{105.}

104. McCP/D1., 27 January 1908. McCullough spent his unemployment campaigning for the IPLL through Canterbury and as a result three branches were established at Timaru, Temuka and Kaiapoi.

105. L.T., 29 December 1910.

CHAPTER TWO

McCullough's faction and the Arbitration Court, 1908-1909

McCullough joined the Arbitration Court with a reputation as a labour activist. To allay criticism, he deliberately withdrew from local labour politics after 1908 and willingly embraced the role of the representative of 'the workers'. The workers, however, were far from united in their attitudes and objectives. Their divisions began to solidify during this period and this in turn prompted a major organizational crisis within the labour movement. In part, at least, the divisions reflected uncertainties occasioned by the onset of an economic slump, the first major downturn since the mid 1890s. By contrast, the economic climate strengthened the hand of an emerging militant managerial elite among Canterbury employers. The latter took their stand behind the doctrine of efficiency and embarked upon a more aggressive anti-union policy. McCullough thus came to the Court at a time when industrial relations were becoming more polarized. His first two years as workers' representative were consequently difficult ones in which he sought to make the transition from activist to mediator. He was to remain always acutely aware of the inherent tension between the two roles. However, he came to see his function as extending beyond the politics of the Arbitration Court table to encompass the wider sphere of industrial mediation. This was an attitude which ran counter to the trend of events within the arbitration system where the Court's role became more and more concerned with the fixing of

minimum wages and less and less with industrial relations.

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McCullough drew two major observations of the relative power of the workers and employers in the arbitration forum from his first months upon the Court bench. First, he was appalled and depressed by the evidence that workers' advocates submitted. Second, by contrast, he was impressed and fearful of the nature and presentation of the evidence of employers' advocates and the organization they had developed for the conduct of their cases for arbitration. His latter reaction is clearly revealed from his diary comments after meeting William Scott, a Dunedin warehouseman and the secretary of the Otago Employers' Association (OEA):

I went around with Pryor [president of the New Zealand Employers' Federation] to Scott's office and am more than ever convinced after seeing them at work and the methodical manner in which his office is conducted that until such time as we adopt their methods, have our well paid brainy officials to conduct our cases for us, men who make the presentation of cases and the conducting of our business the work of their lives we are handicapped to such an extent that we cannot win ... I read a pamphlet by Scott delivered at an employers' meeting and proving him to be a man thoughtful and careful and displaying a knowledge of the court and the history of the Court's procedure and the Act itself that I have never met any worker displaying ... (1).

Well might McCullough have pondered over Scott's constant presence in the court rooms of the travelling Arbitration Court.

1. McCP/D1., 11 February 1908. The pamphlet referred to by William Scott was Industrial Conciliation and Arbitration Act. Its Past, Present and Future, Wellington, 1907.

during July and August 1908, for instance, Scott followed the Court through Otago and Southland, conducting ten major disputes on behalf of the employers, defending many of the cases for enforcement and presiding over most of the conferences between workers and employers.² The press sympathized with what must have been an "arduous and trying" time for a single advocate and even Scott admitted in private correspondence to being consumed by his task: "I have got coal on the brain and the poor down trodden mines disturb my dreams".³

The employers' tactics in the Arbitration Court became a major concern for McCullough as WRAC. He became as concerned with Scott's advocacy on behalf of employers as he was with internal union factionalism. From the time Scott had been selected from fifty-one applicants for the secretarial position in 1904, he had embarked upon a recruiting crusade for the OEA. He provided the Association with its office, its furniture and its typist. In just four years he turned the Otago office into a "verifiable bureau of information for the Dominion".⁴ Most importantly, William Scott provided the OEA with a successful arbitration strategy. Briefly, there were two facets to Scott's strategy. The first involved organizing industry-based trade associations of employers in important industries. The second involved resorting to the Arbitration Court on a dominion principle with consistent and ably conducted cases rather than, as previously, conferring and making ad hoc agreements with individual unions. This Otago strategy was

2. Otago Daily Times, 20 August 1908.

3. OEA Outward Letter Book, W. Scott to J. Dixon, 26 August 1908.

4. OEA Annual Report 1908, p.2.

in keeping with a growing employer consensus on the need for co-ordinated organization. For instance, in 1899 the Canterbury Employers' Association (CEA) had reorganized to form Master Trades' Associations, a Parliamentary Bills Committee and an Industrial Disputes Committee.⁵ It advised other associations to follow its example. Two major national employers' organizations were created in response to general employer sentiment: the Employers' Federation in 1902 and a Parliamentary Vigilance Committee was established in 1903 to organize employers' submissions to the Labour Bills Committee. From 1906 these two national bodies, which had a high public profile, were led by another Otago employer and Scott's confrère, William Pryor. However, the less obvious but arguably more important employer offensive was that orchestrated in the Arbitration Court by Scott himself.

McCullough was acutely sensitive to the significance of unequal representation before the Arbitration Court between employers and workers. Historians, however, have paid too little attention to the development of employers' organization and strategies after 1900 which resulted in more effective employer advocacy.⁶ In July 1904 Scott proposed the uniform conduct of cases before the Arbitration Court and the OEA resolved not to voluntarily furnish the Labour Department with any industrial information. The OEA wanted to replace Samuel

5. CEA Annual Report 1900, p.5.

6. Rudman, F. S., 'Employer Organisations: their Development and Role in Industrial Relations', in John Howells, Noel Woods, F. L. J. Young (eds.), Labour and Industrial Relations in New Zealand, Melbourne, 1974, p.53. The major exceptions are the theses on farmer organization, see bibliography Brooking and Duncan.

Brown, the sitting Employers' Representative on the Arbitration Court with their own secretary. The Association considered Brown's manner was abrasive and that he had a "craft employer" mentality unsuited to the demands of new employers and a new century. The CEA supported Brown, however, and so Scott ended his campaign to strengthen the employer's position in the Arbitration Court on this issue in the interests of unity.⁷ From August 1904 it was the Association's policy that its secretary ought to conduct all disputes where it was practicable and at the end of 1905 Scott resigned his position on the Conciliation Board to concentrate upon conducting cases before the Arbitration Court. Scott's successes acting for the OEA were significant and led to employers throughout New Zealand seeking his advocacy. The OEA indeed was able to develop a lucrative trade hiring out their secretary.

By February 1908, Scott was the most experienced advocate in New Zealand. He had conducted 142 disputes before the Court and had presided over 187 conferences between employers and workers.⁸ From his experience as an advocate in industrial disputes and as the acting employer-member of the arbitration bench when Sam Brown was unavailable, Scott considered his major problem was being harassed by "stupid agreements entered into by employers without a full knowledge of their effects".⁹ The OEA relied upon the larger companies for financial support and influence. To counter worksite agreements, Scott built

7. OEA Outward Letter Book, W. Scott to H. Field, 22 October 1904 and W. Scott to G. T. Booth, 25 October 1904.

8. Dunedin Star, 27 February 1908.

9. OEA Outward Letter Book, W. Scott to R. S. Walpole, 24 November 1904.

upon the OEA's relationship with these companies to form important trade associations. In particular, Scott organized the local Otago and Southland Associations of Woollen Manufacturers in 1906 and the Otago Coalmine Owners in 1907, both of which used him and his office for their secretariat as had the already established Otago Sheepowners' Union from 1904. This task was facilitated by Scott being the Otago Clothiers' and Drapers' Associations's representative and Pryor having been the Coal Merchants' and Carriers' Association's representative. Moreover, the OEA had deliberately undertaken to deepen its 'cordiale entente' with certain farming interests after 1904. Regular consultation resulted in regional agreement as to the rates employers would offer the unions.

McCullough joined the Arbitration Court at the turning point in Scott's campaign to co-ordinate employers locally and nationally. Scott realized that his strategy infuriated the unions which now openly condemned the Court's decisions. He counselled employers to be cautious so as not to prejudice the confidence of the Court which he was planning to win and warned them against making the "first attack in the workplace". The employers' new and now national offensive was being discussed freely between two of its leading frontsmen, Scott and Pryor:

It is manifest that the Federation from this time on will require to keep a stiff back and as you say show its teeth as legislators and Judges alike seem prepared to go as far as they can or until the employers squeal. We shall have to squeal oftener. (10).

10. *ibid.*, W. Scott to W. Pryor, 24 March 1909.

Consequently, the tone of the Arbitration Court hearings was changing. Employers and workers in the early years of the Arbitration Court hearings had appeared to share a consensus; certainly the proceedings were amicable "with parties congratulating each other at the conclusion upon the fine spirit and excellent presentation displayed by the opposition".^{11.} Overseas visitors had been struck with the 'good temper displayed by all parties'. By contrast, in 1908, Scott expressed no confidence in union advocates. He was convinced that there was no union advocate competent to win the important Otago cases and advised mine managers to put off making agreements with workers until after the Arbitration Court case had been heard. In that forum, most employers had "everything to gain and nothing to lose".^{12.}

McCullough was inclined to agree with Scott's assessment of union advocacy. He was very critical of incompetent or ineffectual union advocates and especially those who addressed the Court 'as if on their soapboxes'. However, McCullough was more perturbed at what he noted were increasingly uncomplimentary comments made by his benchmates and employers' advocates about the working class. The new managerial elite and their representatives such as Scott had a new perception of labour based on their own criteria of efficiency and capability.

McCullough's experience taught him that union leaders were reluctant to participate in the arbitration process

11. Holt, Jim, 'Compulsory Arbitration in New Zealand, 1894-1901', NZJH, October 1980, p.185.
12. OEA Outward Letter Book, W. Scott to W. Handysides, 7 April and 7 May 1908.

and consequently their counter-evidence in Court was usually very poor. Lack of effective presentation and the consequent poor results, McCullough believed, alienated union advocates from the Arbitration Court. Certainly, there was no workers' advocate of the calibre of Scott. This was unfortunate for, as Woods has argued, the Court's procedures were being consolidated in a way which emphasized formal evidence.^{13.}

Judge Sim disparaged formal evidence presented by unionists because, in general, it was not supported by either well-researched documentation or by a concern for precedent.

Henry Broadhead, Secretary of the CEA from 1899 and member of the Canterbury Conciliation Board, shared the Judges' assessment of the factual poverty of workers' evidence:

It practically revolves itself into something like this: "We want higher wages because the present wages are too low, and are not so high as in other parts of the colony; we want shorter hours, because the present hours are too long." Or the union may emphasize the fact that the cost of living has increased. (14).

Certainly, lack of agreement on the movement in the cost of living which had become the basis of wage-fixing exacerbated industrial relations. Most unions argued that the cost of living in the previous decade had increased by thirty to forty percent while wages had only been increased by about ten

13. Woods, Noel S., Industrial Conciliation and Arbitration in New Zealand, Wellington, 1963, p.96.

14. Broadhead, Henry, State Regulation of Labour and Labour Disputes in New Zealand: a Description and a Criticism, Christchurch, 1908, p.62.

percent.¹⁵ McCullough was inclined to agree with this figure and used it as the basis for urging wage increases. The employers, however rejected this figure and land agents, butchers and grocers were called before the arbitration bench by employers to testify that prices had not increased. Employers' advocates maintained that claims of an increase in the cost of living resulted from the inflated expectations of workers who wanted to live in homes with "tubs, a copper and a bath" and to afford to go to Wonderland and to the races.¹⁶ The Judge, on the other hand, maintained that the cost of living between 1894 and 1908 had not risen by more than twenty percent and workers had been largely compensated for this by wage increases during that period.¹⁷ How he arrived at his opinion is nowhere made clear. Indeed, in one case he argued that the evidence showed that the cost of living had actually dropped between 1905 and 1908.¹⁸ McCullough claimed that the Court was biased against workers and manipulated by experienced employer advocates. The best defence he could see for the workers was to emulate the employers' tactics and beat them at their own game. The best defence McCullough could see for himself was to steep himself in workplace practices of a host of different trades and occupations and to convince workers of the need to defend themselves in the Arbitration Court.

15. Dominion, 27 March 1908. The watersiders claimed the cost of living had risen 30-40% between 1905 and 1908. For the 'great New Zealand debate' on the cost of living see A.J.H.R., 1912, H-11, 'Report of Commission on the Cost of Living in New Zealand. Together with Minutes of Proceedings and Evidence'.

16. Dominion, 27 March 1908.

17. ibid., 21 March 1908.

18. BOA, vol.10, 1909, p.191, Gisborne Painters' and Decorators' Award.

He set about encouraging the more effective union secretaries like Arthur Rosser to act for less well represented unions. Eventually, he organized conciliation court and arbitration court hearings for union advocates. He persuaded members of the Canterbury Industrial Presidents' and Secretaries' Association, for instance, to role play in mock disputes such as the 'Miners' versus the 'Colliery Owners' Association' with McCullough acting as Judge.¹⁹.

Despite his criticisms of the Court, McCullough was loathe to abandon it. To do so he realized would have left the Court open to influences which in his view were dangerous to the interests of the workers he hoped to protect. He was well aware of the advice which Lib-Lab adversaries like John Barr were feeding to the Government. Barr in fact had supplied George Findlay, the Attorney-General, with a definition of a living wage which McCullough found frightening. Such a wage, according to Barr needed to ensure that the worker "may live in decency and comfort notwithstanding what the earnings of the employer are".²⁰. In bad times such a concept as Barr's would ensure good wages since employers' earnings were not relevant. McCullough objected to Barr's statements and support of the Liberals because he did not believe that the Liberals would support such a concept in times of depression. More importantly, Barr's concept ensured that the profits of employers, however substantial remained intact in prosperous times.

McCullough regretted that the administration of the

19. Weekly Herald, 28 August 1910.

20. Rankin, Mary T., Arbitration and Conciliation in Australasia: the Legal Wage in Victoria and New Zealand, London, 1916, p.185.

Arbitration Court had not created a social revolution. New Zealand workers did not even have the protection of a basic wage. The eight shillings a day for an able-bodied male labourer of average ability had been set as a living wage by 1908.²¹ However, in Australia a basic wage had been institutionalized by Judge Higgins' famous Harvester decision which conceded the principle of indexation to the cost of living as well. Indeed, owing to employers' resistance and the New Zealand Judge's conservatism McCullough looked hard to find any significant changes effected by the Arbitration Court which were not first conceded in the workplace.

McCullough rarely agreed with a Court decision. His association with the Court reveals his scepticism of and outright opposition to the Court while still supporting arbitration in principle. He was particularly critical of the Court's powerlessness to mediate in disputes and its refusal to deviate from the status quo which obstructed his faction's short-term goals. In particular, two Arbitration Court decisions which have captured historians' attention illustrate the ambiguity of McCullough's position. They were the humiliating defeat for the Arbitration Court effected by the Blackball affair of 1908 and the failure of the Canterbury farm labourers to gain a Court award in 1908.

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21. BOA, vol.9, 1908, p.8, Dunedin and Suburban General Labourers' Award. Labourers engaged at pick and shovel work were paid one shilling an hour compared to the average tradesmen who were paid one shilling and three pence an hour.

McCullough was well aware of the increasing criticism of the Arbitration Court throughout the union movement. For a decade overseas visitors had publicized their opinion that compulsory arbitration had restrained the New Zealand union movement. McCullough had had a few hours' private conversation with Sydney and Beatrice Webb, for instance, who made it clear that they did not believe that the progressive legislation in New Zealand had improved with the wage workers' lot. Rather, the union movement's acquiescence in compulsory arbitration was a sad reflection on the ideological and political backwardness of New Zealand workers.²² McCullough noted that after 1906 criticisms by overseas visitors were beginning to be echoed by New Zealand unionists. In 1908 a motion calling on the Westland Trades and Labour Council to proclaim it had no confidence in the IC and A Act was narrowly defeated by a casting vote.²³ Unionists criticized the Court because it gave "unlimited power to the employers, while it limits the power of the workers". It was pointed out that in the old country workers would have nothing to do with compulsory arbitration. Even the moderate Ramsay MacDonald had condemned it. Bob Semple, an Australian immigrant and rising miners' leader, forcibly argued that an Arbitration Court would not be needed in a just society. It was a poor expedient which had failed in New South Wales and it was failing in New Zealand. This last verdict was substantiated by the Granity Union's

22. Christchurch Truth, McCullough's column, 10 November 1906.

23. Greymouth Star, 10 March 1908. The rift between the factions had been developing for some time. See P. J. O'Farrell, 'Politics and Coal. The Socialist Vanguard, 1904-8', in Philip Ross May, (ed.), Miners and Militants, Christchurch, 1975, p.115.

award hearing in December 1907.²⁴ Judge Sim offered the workers "no hope" after telling the Granity Union that he would not listen to them "on cost of living, profits or nature of work".

It was with a great deal of trepidation that McCullough went to Greymouth two days after the historic Westland Trades and Labour Council meeting to hear a case against the Blackball miners.²⁵ He knew the mood of the miners who had struck over the dismissal of seven unionists whom they contended were being victimized for leading the campaign to extend the crib time from fifteen to thirty minutes.²⁶ The mine manager, Eric Leitch, maintained that he dismissed the seven men because the union refused to allow truckers to move coal for ten hours and so the underground workforce had to be reduced to ensure that the coal hewed was cut back to a level that truckers could manage in eight hours.²⁷

The Court criticized both parties to the dispute. It was observed that mine manager, Leitch, could not have done more to have brought about a crisis between the union and the company by peremptorily dismissing the seven particular unionists. The Court suspected the seven men were deliberately selected by Leitch because he believed they were leading the 'trouble' in connection with both the crib time and the reduction of the truckers' hours. On the other hand, the Judge maintained that the high-handed and arbitrary way in which the union attempted

24. BOA, vol.8, 1907, p.1065.

25. MCCP/D1., 3 March 1908.

26. O'Farrell, P. J., 'The Blackball Coal Strike', New Zealand's Heritage, Wellington, 1972, pp.1888-1894.

27. Dominion, 12 and 13 March 1908.

to increase the crib time, with less than twenty-four hours' notice to Leitch, was inexcusable. Moreover, the union appeared to shun peacemakers who attempted to conciliate in the dispute.²⁸ The union stood convicted in the last analysis of striking in defiance of the existing industrial law. The fine that Judge Sim imposed by declaring that "in view of all the circumstances we have decided to impose a fine of £75" belies the dispute that went on behind closed doors between the three members of the Committee. Since he could not guarantee that the miners would go back to work, McCullough reluctantly agreed they had to be fined by the court for striking but argued twenty-five pounds was sufficient while Brown, the employers' representative, demanded the maximum of one hundred pounds and the Judge 'compromised' at seventy-five pounds.²⁹

McCullough publicly appeared to be an ardent defender of arbitration critically judging the radical miners. This view, that McCullough was unsympathetic to the miners, has been captured in a recent novel:

He'd always been a moderate, always would be, but he'd seen the moderate unions clobbered pretty hard recently by the court, the court that was supposed to aid and protect them. And it was this, more than anything else, that was causing militancy among the unions, especially those in essential industries, like mining. But if they were militant, they were still unions and you had to do what you could for them - within the law, anyway. (30).

Certainly McCullough was critical of some of the miners' leaders. For example, he was appalled at Pat Hickey's cross-examination of Leitch, the mine manager, on this and on other

28. BOA, vol.9, 1908, pp.55-60, Judgement on the Blackball coal-miners taking part in a strike delivered by W.A. Sim, Judge.

29. McCP/Dl., 11 March 1908.

30. Beardsley, Eric, Blackball 08, Auckland, 1984, p.193.

occasions.^{31.} His opinion of the miners' leaders was coloured by his first few months on the Court bench and he was concerned that they were playing into the hands of the employers by being provoked into making "wild and rabbid" public utterances. However, the Blackball affair was the occasion for his first trip to the West Coast as well as his first major dispute. Familiarity with the miners and their employers led him to be more sympathetic towards the miners.

McCullough attempted to act as a peacemaker in the Blackball dispute. He drew up terms and arranged a conference between the parties. He also privately met a small group of the unionists. They were not a group united in passionate solidarity as appeared in the Arbitration Court hearing in Greymouth but twenty-one men who were almost evenly divided. The latter accepted his terms, and, as Hickey later told McCullough, decided by a narrow majority to go back to work. McCullough was congratulated by Paddy Webb and other prominent miners for having produced a settlement. Next morning, McCullough found out that both sides had reneged on the agreement. He assumed, in the beginning, that it was a case of the militants pressuring their mates and he bitterly deplored the 'undemocratic manipulating' of a genuine grievance by both sides: "If it is ever my privilege to assist in similar proceedings" he vowed "I will not be innocent enough to trust the word of honour or the memory of either side."^{32.} Immediately

31. McCP/D1., 20 November 1908. During the pillar case McCullough pleaded with Hickey through the luncheon recess to stop his line of questioning. Hickey continued, "each question making matters for them worse" in McCullough's opinion.

32. ibid., 14 March 1908.

upon his return to Christchurch the Blackball Coal Company sent a representative to wait on McCullough to try to get him to continue to act as a mediator.³³ A meeting was arranged for him with George G. Stead, an Addington wool and grain merchant and a major shareholder in the Blackball Coal Company. Stead assured McCullough that he had forwarded instructions to Leitch, the mine manager, to give the men half an hour crib, the issue over which they had ostensibly struck. He also told McCullough that the reason negotiations had ended was because Leitch would not see his way to making any compromises at the worksite for the sake of peace.³⁴

McCullough gradually became convinced that conciliation in the coalmining industry was impossible. The main reason was the "vindictiveness on the part of the employers of labour on the West Coast".³⁵ For over a month McCullough was involved in negotiations between the union and the employers; a code of words was used to prevent the media publishing the details of the negotiations. McCullough acted as the go-between. He informed the union that Stead was prepared to pay half its Court fine; he arranged for Dave Pritchard, a union spokesman, to meet Stead after the Minister of Labour refused to talk to the unionists; he personally travelled to Blackball to induce the men to write 'courteously' in reply to Stead's offer "even though he was a capitalist"; he tried to persuade the miners to compromise in their demand to reduce truckers' hours. But to no avail. Scott, secretary of the OEA,

33. *ibid.*

34. *ibid.*, 18 March 1908.

35. N.Z.P.D., v.245, 1936, p.194.

informed Pryor, president of the Employers' Federation, at the collapse of negotiations that confidences had been broken so often by outsiders, including the Minister of Labour and the media, that it had been decided to stop all negotiations and remain both firm and silent.³⁶ Indeed, Stead asked McCullough not to publish any correspondence between them, particularly his offer to pay the miners' fine for fear that it might be misconstrued.³⁷ The employers had become angry; Pryor suggested the miners should be imprisoned; Stead suggested to Scott that they should be disenfranchised. For his part Stead proclaimed that he would never have any confidence in future arrangements with the miners.³⁸ McCullough quietly took note of the threats the angry employers made against the West Coast miners. None of them augured well for the future of arbitration.

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The Blackball affair did much to focus community opinion upon the arbitration system. Conservatives were enraged by the apparent victory of the miners. The latter refused to pay their fine and an auction of confiscated miners' goods was an embarrassing failure. Radicals were encouraged by the achievements of the strikers and went on to form the Miners' Federation, the parent body of the 'Red' Federation of Labour. They were to be successful also in convincing a

36. OEA Outward Letter Book. W. Scott to W. Pryor, 30 March 1908.

37. Roth Collection, G. Stead's telegram to McCullough, 23 March 1908.

38. *ibid.*, G. Stead's telegram to McCullough, 18 March 1908.

number of unions to cancel their registration under the Arbitration Act. The Court continued, however, to retain the loyalty of most of New Zealand workers. The Blackball affair also highlighted McCullough's dilemma on the Court. How, as a supporter of the Court in principle, could he in practice appropriately protest at decisions he disagreed with? He publicly dissented in eleven cases in two years which represented less than one percent of all Court decisions or approximately six percent of all award decisions.³⁹ In nearly every dispute the Court heard, however, McCullough wrote privately to the union secretaries concerned making it clear that he did not really agree with the decision, had fought it most strenuously in committee but that he could not publicly dissent for the sake of the continuance of the institution.⁴⁰ McCullough withstood a great deal of pressure from his old union mates to publicly dissent from decisions of the Court he disagreed with.

The Canterbury Farm Labourers' affair, similarly must be placed in this context of McCullough's dilemma over how to dissent. There were three major issues during 1908 and 1909 which sorely tested McCullough's commitment to the Court.

39. There were three general reasons for McCullough's protests:

1. The Strike Clause in the Southland Timberyard and Sawmills Award;
2. Wages and hours of certain classes of workers in the Canterbury Tanners', Fellmongers' and Skinners' Award, Wellington Drivers' Award, Christchurch General Labourers' Award, Canterbury Carpenters' and Joiners' Award, Wellington Grocers' Award;
3. Exemption of industrial sectors in Canterbury Agricultural and Pastoral Labourers' case, Wellington General Labourers' (County) Award, Inangahua Miners' Award, Dunedin Tinsmiths' and Sheetmetal Workers' Award, Canterbury Hotel and Restaurant Workers' case.

40. McCP Outward Letter Book, for example, McCullough to W. Westbrook, 22 October 1908, McCullough to A. Rosser, 9 November 1908 and McCullough to J. Kneen, 21 December 1908.

First, in late 1908 Judge Sim began to explore new ways to combat strikes at the judicial level. Sim felt that the Liberal government had not provided the legislative means by which strikes could be limited, if not outlawed. If the politicians would not act Sim was prepared to move on the judicial front. In September 1908 he wrote his now famous 'strike clause' into the Southland Sawmillers' Award.⁴¹

Put simply, it held unions responsible for strikes. When a union went on strike, the Court would automatically suspend its award without investigation of the circumstances which led to strike action being taken. McCullough protested that the unprecedented punitive nature of the clause would be bitterly resented by unionists. In his view it was not the Court's duty to introduce repressive legislation. He also argued that this important decision would make the task of his faction in the labour movement, which supported arbitration in principle, more difficult. He advised all Trades Councils by a circular and by word of mouth to protest against the decision.⁴²

The second major judgment McCullough opposed was the Court's Gisborne Painters' and Decorators' decision. Despite the Court's *prima facie* support for the minimum wage set out in previous awards, in this award it was decreed that unless unionists could prove unequivocally that their circumstances, specifically their living costs, were higher than at the time of the previous award, the former would simply be extended or re-issued.⁴³ By thrusting the issue of proof firmly back upon

41. Dominion, 9 and 10 September 1908. The Dominion was of the opinion that the Court had never issued a more important decision.

42. McCP/DL., 5 September 1908. See also Weekly Herald, 1 May 1909 for an indication of the strength of TLC unionists' opposition to this issue.

43. BOA, Vol.9, 1908, p.192, Gisborne Painters' and Decorators' Award.

the unions, the Court was effectively placing more pressure upon union advocates who were in no position to produce the evidence required even if it were procurable. McCullough conducted another letter-writing campaign to unionists to inform them of his opposition to the decision.

It was the third major issue, however, the question of the comprehensiveness of the Arbitration Act which was the overriding concern for McCullough. His support for the extension of the Arbitration Court's jurisdiction had motivated him initially to accept a seat on its bench and, in spite of serious misgivings, disappointments and outright dissent, it was the desire to achieve this end which sustained him. On this issue, McCullough was unequivocally in the ranks of the 'Arbitrationists'. For McCullough, then, the greatest problem of arbitration was that of exemption. It was his opinion that more trouble was occasioned by the demand for exemption than "with disputes proper".⁴⁴.

There were two categories of exemption from Arbitration Court provisions. Breaches of awards, or enforcement cases as they were known, were evasions of awards by individuals which were not sanctioned by the Court and for which the offender might be prosecuted. Williams has found that between 1904 and 1907 the offence of paying below the award rates without a permit was the largest single offence reported before the Court and this continued to be an issue until World War One.⁴⁵ The permit system itself allowed a

44. McCP/D4., 30 September 1914.

45. Williams, Alan, 'Industrial Militancy in New Zealand: the Contributing Influence of the Industrial Conciliation and Arbitration Act, and its Administration, 1894-1908', unpublished Ph.D. thesis, Massey University, 1977, pp.147-150.

lower rate of remuneration to be paid to workers unable to earn the prescribed minimum rate for an able bodied worker of average competency if this was certified by a Magistrate, a Chairman of a Conciliation Board or in some cases a president or secretary of a union and was reported to the Inspector of Factories. The more important and more contentious level of exemption, however, was occasioned by the Court's refusal to make an award. For instance, exemption could be made on the basis of the IC and A Act 1908 (which was simply repeated from previous Acts) which stated that no award would be made for the employment of any workers employed other than for the direct or indirect pecuniary gain of the employer.⁴⁶ Using this clause the Court refused to bind local bodies to its awards. Moreover, where board or lodgings and other necessities of life were provided the need to provide a living wage was deemed to be irrelevant and domestic workers and farm workers were exempted from awards on these grounds. It followed also that where no minimum wage could be set there was no basis for granting preference which required employers to employ unionists if they were available. More than any other single issue, it was that which denied the registration of the Canterbury farm labourers which alienated McCullough most.

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Had McCullough not been the WRAC he would have been

46. BOA, vol.10, 19L9, pp.513-518, Court of Appeal decision on Jurisdiction of the Court to bind local bodies to awards.

presenting the farm labourers' case to the arbitration bench.⁴⁷ Instead, at his request, Jimmy Thorn agreed to become the secretary for the farm labourers. Thorn gave up his job to concentrate upon the case and to become the union's first full-time secretary. The union also paid an organizer and associate advocate, Ted Kennedy, to assist him. The Canterbury Sheepowners' Union tried to get William Scott to conduct its case but as he was "too busy", Henry D. Acland and Richard Evans presented the employers' case. Evans was a farmer and mill owner while Acland was a shareholder in the Mount Peel sheep station, a partner in a law firm in Christchurch and was soon to embark on a thirty-three year reign as president of the New Zealand Sheepowners' Federation. The farm labourers' dispute hearing before the Conciliation Board lasted for three months.⁴⁸ Both the employers' and workers' representatives produced minority reports in addition to the Chairman's recommendations. The union had also provided the typescript of the Conciliation Board hearings for immediate use and posterity. Thorn was wrong when he complained about the uselessness of the union paying nine pounds per week according to the schedule rates in the Typewriters Act in the production of a "bundle of stuff which no one will have time to read".⁴⁹ McCullough spent many hours in Ettie Rout's Chancery Lane

47. Thorn, James, The Formation and Development of Trades Unionism in Canterbury, Wellington, 1950, p.29.

48. The men involved in the Conciliation Board hearings all remained important influences in McCullough's life. They were: Henry Rusbridge and George Whiting representing the workers, Henry Broadhead and George Sheat representing employers on the Board; Jimmy Thorn and Ted Kennedy, FLU advocates and David Jones, Richard Evans and John Hall, FU advocates.

49. New Zealand Times, 28 March 1908.

Participants in the Canterbury Farm Labourers'

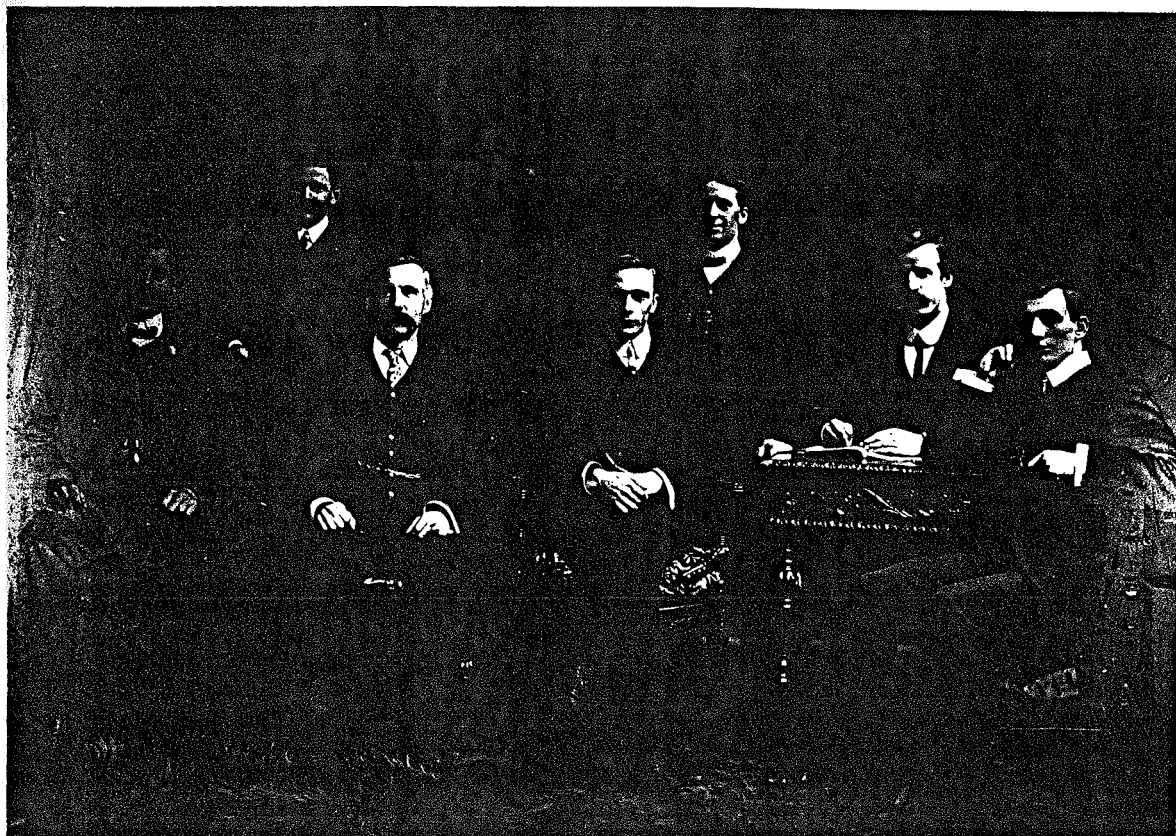
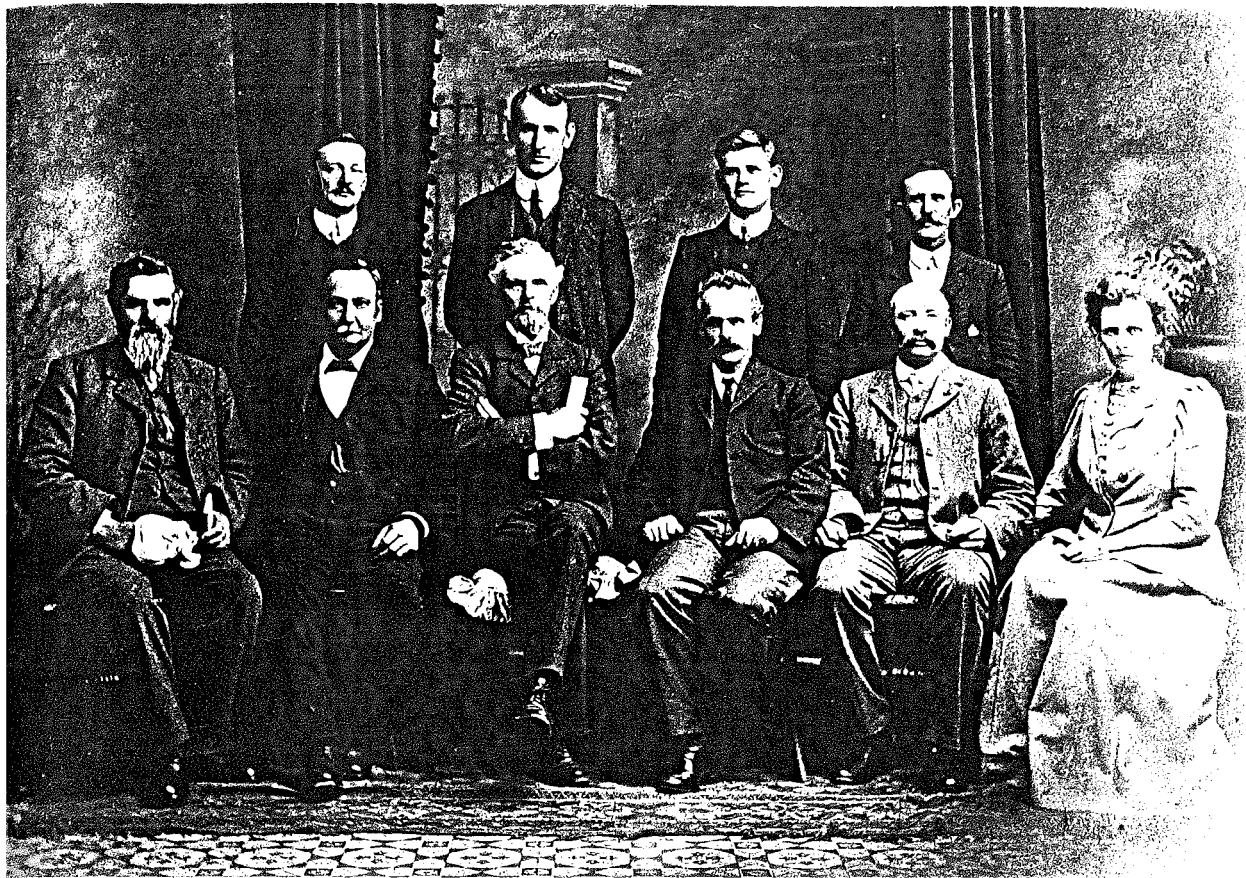
Dispute 1908

McCullough considered the farm labourers were the most sweated workers in New Zealand in 1908 and that the Arbitration Court and their unions' case, based on his experience, were their best hope. "I myself worked in this country before 1894 having laboured in the stock-holds of the steamers of this country and in the retort houses of the gasworks for twelve hours a day on seven days of the week - eighty-four hours per week with a holiday of eighteen hours on Sunday when we changed shifts ... sweated conditions that were being imposed upon men, women and children who, like me, had no organization to protect them" (N.Z.P.D., vol.245, 1936 p.195).

Christchurch Tinsmith and Sheetmetal Workers' Union

1906

(McCullough sitting second from left).



office and at night in his room at home reading every page of evidence. He was clearly absorbed in the case. Acland's first act in Court was to protest that McCullough, "one of the parties to the dispute being a member" of the bench.⁵⁰

McCullough had been prepared to accept any award. When it was first intimated to him that an award might not be granted, he noted privately "I will be forced into creating a scene. I would be prepared to bust up the Court if it denies the Farm Workers the benefits of the Act".⁵¹ However, when the Arbitration Court decided that no award should be given, McCullough, while making a scene, did not "bust up" the Court. With the help of his friend, Conciliation Commissioner, Pat Hally, he prepared a minority report which Sim refused to include in the award. Apparently thwarted, he then consulted with 'Miss Rout's gang', Ettie Rout, Jimmy Thorn, Pat Darcy and Ted Kennedy, who served as his arbitration caucus. McCullough published his minority report as a newspaper interview. It brought forth an avalanche of criticism. In his diaries he noted with some satisfaction that the Press had one of the "most scurrilous articles about my minority report I have ever seen. They almost request Parliament to impeach me for it".⁵² Despite the rebuff, McCullough remained on the Court. He rejected resignation, as he had in the past, as likely to leave the way open for a 'Lib-Lab' unionist, like his predecessor, Robert Slater, or Henry Rusbridge to replace him. Thus, his

50. P.S., 26 June 1908.

51. McCP/D1., 29 July 1908.

52. ibid., 22 August 1908. L.T., Thompson, B. J. G., 'The Canterbury Farm Labourers' Dispute 1907-1908 ...', unpublished M.A. thesis, Canterbury, 1967, p.91, surveys the newspapers' reactions to McCullough's protest.

Independent Labour supporting union coterie would lose the initiative in the struggle for leadership of the arbitration-supporting ranks. McCullough and his supporters orchestrated huge rallies in Cathedral Square which passed stirring resolutions condemning Sim and the Court. A testimony of the success of the propaganda was Scott's private condemnation of him for not making a shadow award which would have given the appearance of justice and denied McCullough the luxury of moral indignation.⁵³

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The divisions within the labour movement as much as anything else convinced McCullough to stay with the Court. Indeed, McCullough became publicly a more ardent arbitration supporter at a time when personally he believed there was much to complain about. He did not "bust up" the Court. His fear of making possible a right-wing resurgence was exceeded only by his distrust of the radicals. The militants, he believed, would regard his resignation as a victory. McCullough went through a period of depression which was deepened by his finding, even among his arbitration caucus, support for the view that "worst was best":

You say you are down in the dumps. In Lord's name why? For anti-sock-ites there is abundant reason, but for THE PEOPLE there is none. When I think of the rising tide of socialism all over the world I want to shout aloud ... As for the Court you are associated with, it is one of the most valuable educative institutions for socialism one could wish to have and the more iniquitous its decisions the

53. OEA Outward Letter Book, W. Scott to H. Broadhead, 24 August 1908.

better. If the workers always get the 2/- a week extra they modestly ask for they will not want to advance to co-operative industries and state enterprise at all. They will be too enamoured of private enterprise and the Arbitration Court. (54).

While the job was well paid at 500 pounds per annum and travelling expenses, McCullough's greatest consideration for continuing on the bench was that he could see no alternative to arbitration, given his democratic political opinions.

McCullough and Thorn had become involved in rural unionism because they wanted to bring country workers into the arbitration network and hopefully find supporters for an independent labour party. They emphasized the strength of their legal case for registration of the farm labourers to the press. With Thorn, he maintained that Seddon had acceded to their demand to extend the Act in his amendment of the definition of worker to allow farm labourers and domestic workers to be included.⁵⁵ The 1901 IC and A Act redefined the term 'worker' to mean "any person of any age of either sex employed to do skilled or unskilled, manual or clerical work for hire or reward in any industry".⁵⁶ Moreover, they contended that in 1902 an amendment to the Workers' Compensation Act 1900 which the Court administered extended the Act to include agricultural workers. McCullough and his CTLC coterie blamed the dismissal of the farm labourers' case on the orchestrated anti-union policies pursued by the farmers' paid 'agitators' and upon

54. Roth Collection, Ettie Rout to McCullough, 11 September 1908.

55. L.T., 24 August 1908.

56. Broadhead, Henry, State Regulation of Labour and Labour Disputes in New Zealand ..., Christchurch, 1908, pp.11-13.

the employers' influence in the arbitration institution. On the other hand, Acland, for the sheepowners, maintained that Seddon had assured the farmers that the farming sector would not be included in the Act as an industry. Both sides appealed to the intentions of a dead man. The point is that for the employers' representatives the farm labourers' case was an important dispute. They felt that they had to turn the tide of arbitration. For instance, while rural employers were exempted from such awards as the Drivers' Awards, the Canterbury Shearers had won an award in 1902, the freezing works had lost their brief exemption from regulation of 1906 in 1908 and the Canterbury General Labourers' Award of 1908 arose from a dispute between the union and flour millers, grain and wool merchants who had not previously been included in an award.⁵⁷ These occupational groups were integral to the farming sector. Thompson has suggested that the farmers definitively deposed the rural labour challenge in the farm labourers' dispute and they turned in victory to deal with urban socialists and single taxers directly.⁵⁸ However, the struggle between farmers and unionists in Canterbury was a much more closely fought war in which, for McCullough, the Arbitration Court continued to be the important battleground.

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57. BOA, vol.9, 1908, pp.452-456, Christchurch General Labourers' Award.

58. Thompson, B. J. G., 'The Canterbury Farm Labourers' Dispute 1907-1908 ...', unpublished M.A. thesis, Canterbury, 1967, preface, p.vi.

The Press was emphatic that concern within New Zealand society over the farm labourers' case did not extend far beyond union agitators like McCullough and his CTLC friends.⁵⁹ Historians, such as W. Gardner, have argued further that only left-wing writers, grossly over-simplifying society by magnifying tensions between employers and workers could argue that New Zealand divided into two nations after 1908 on decisions such as the farm labourers' case.⁶⁰ Such a battle, Gardner has argued was certainly not evident in the political arena. From McCullough's perspective, however, the case evoked deep bitterness in Canterbury industrial relations. The issue had been brewing for some time with farmers setting their faces against an extension of unionism to the countryside. From 1906 the Farmers' Advocate carried articles denouncing the rabid teachings of the Socialist Party and prophesying the coming danger posed by the black cloud of socialism.⁶¹ Such warnings were accompanied by threats that farmers would turn from labour-intensive wheat to sheep farming if urban unionists like McCullough continued their campaign to bring farmers into arbitration.⁶² In August 1906 the North Canterbury provincial executive of the Farmers' Union had affiliated to the CEA. McCullough's diaries and papers are full of comments on employers' activities such as the presence of the farmers in the Court room to attend the Christchurch General Labourers' Dispute

59. P.S., 24 August 1908.

60. Gardner, W. J., 'Colonial conservatism: the New Zealand experience, 1890-1912', a paper presented to the 38th ANZAAS Congress, Hobart, 1965, p.21.

61. Christchurch Truth, McCullough's column, 26 May 1906.

62. Farmers' Advocate, 26 May 1906.

in 1908; "Jones, Evans, Ackland and a number of other big guns". McCullough was candid about his feelings over the Judge wanting to exclude the farming sector from the award.⁶³ After the farm labourers' case in July 1908, Acland and Evans were toasted at the CEA Annual Conference. In the most extreme public statements to that date, the employers declared that there was an insidious "civil war" being fought in New Zealand between "right minded New Zealanders and Socialist union agitators".⁶⁴ Acland and Evans told the city employers that they had fought the farm labourers and their urban leaders in the way they had because their demands were largely political.⁶⁵ They protested vociferously at the prostitution of the Arbitration Court for political purposes and promised to do battle with these union agitators. McCullough was convinced that all employers, and the farmers in particular, were conspiring against the farm labourers.

Of course one runs the risk of overemphasizing the battle. McCullough's conspiracy thesis like the employers' had its limitations. The real strength of the employers lay in their organization and their capable officials. In contrast to the trade union organizations such as the CTLC, the employers were able to concentrate their resources: the Employers' Associations acted as the political watch-dog; the Chambers of Commerce focused on trade issues; and the Industrial Association concentrated on municipal philanthropy. Yet for all their apparent unity there were major tensions within their

63. McCP/D2., 10 July 1909.

64. CEA Annual Report 1908, pp.24-25.

65. P.S., 30 July 1908.

ranks. The tariff issue, for example, revealed the essential incompatibility of urban and rural, producer and manufacturer interests. The industrialists and manufacturers wished to build up a tariff wall which the farmers did not support. This division was a major stumbling block to a proposed amalgamation of Canterbury employers in 1910.⁶⁶ While it was difficult for the small employer groups to mount a unified front their disagreements were less public and certainly less divisive than those within trade union ranks. What McCullough feared as he read in the Canterbury Employers' Annual Report in 1908 was that the employers were organizing a sufficiently "well-disciplined and solid phalanx" which the labour movement was ill-equipped to counter.⁶⁷

McCullough would have tended to agree with Gardner that class warfare was limited. However, that does not obviate the growing class consciousness among workers or for that matter among employers, especially farmers. Dan Sullivan's protest meetings revealed the extent to which dissatisfaction with the Court was creating a rallying point for wage-earners. McCullough believed, however, that the class polarization evident in the first decade of the twentieth century was the culmination of growing tension in the workplace rather than being directly caused by Arbitration Court decisions or by a great political battle. Class solidarity, in his view, resulted as much from an employer offensive at the level of production as anywhere else.

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66. *ibid.*, 3 December 1910.

67. CEA Annual Report 1908, p.20.

McCullough's experience as a local union official and his continuing association with unionists and their employers led him to postulate that an employer offensive at the workplace was the major contributing factor in the industrial unrest after 1906. In the local engineering industry, in which McCullough as a tinsmith by trade and as secretary of the Christchurch Tinsmiths' Union had taken a particular interest, the introduction of new machinery and the payment by results raised much industrial tension and collective protest. By concentrating on the formal arbitration proceedings, historians have failed to recognise this. The Arbitration Court was increasingly unable to resolve disputes when both parties refused to co-operate. A major point of contention was the employers' managerial innovation. Their principal weapon in a struggle for the workplace was their new-found gospel of efficiency. Themes of efficiency and reorganization are usually associated with American managers of labour, and in particular, with Frederick Warren Taylor who published and popularized the technique of time study.⁶⁸ They are not normally investigated in the context of New Zealand industrial relations but they should be.

McCullough was convinced that the traditional basis of conciliation at the worksite had been deliberately broken down by employers such as George Booth. Booth was the most articulate and best respected of a clique of Canterbury

68. Palmer, Bryan, 'Class, Conception and Conflict: The Thrust for Efficiency, Managerial Views of Labor and The Working Class Rebellion, 1903-22', Review of Radical Political Economics, 7, Summer 1975, pp.31-49.

employers who dominated local employer organizations.⁶⁹

Booth's employer interests were both urban and rural. His father was a business and farming entrepreneur who had migrated from the plains township of Rangiora to the city and established himself as an agricultural implements importer. He became the first mayor of Sydenham, was a member of numerous school boards and an active temperance advocate. Many socialist and union agitators including McCullough's brother, followed Mr Booth senior in this involvement in municipal affairs, education administration and the temperance campaign. His son George Booth, however, became managing director of what had become an agricultural implements manufacturing business in Sydenham, Booth, MacDonald and Company. Booth also became the first president of the New Zealand Employers' Federation. He was no lover of arbitration or McCullough. McCullough and Booth often engaged in acrimonious newspaper debates.⁷⁰ Booth and his clique of Canterbury employers believed that the major goal facing employers was the concentration of productive capacity. A gospel of efficiency and increased output conflicted with McCullough's gospel of a unionized workforce democratically controlling industry on a profit-sharing basis. The two were to clash most bitterly over the piece-rate bonus system. The latter allocated to each worker the precise value of his or her productivity to the employer. This was an issue

69. J. A. Frostick (Skelton, Frostick and Co.) W. Reece (Reece and Sons) R. E. McDougall (Aulsebrook and Co.) joined Booth on the Chamber of Commerce, the Industrial Association and the CEA.

70. See for example, Christchurch Truth, McCullough's column, 7 July 1906, P.S., 24 and 29 April 1907. CTLC Minute Book, 4 May 1907. The CTLC had expressed concern at the number of under-rate permits issued to Booth's apprentices as compared to other employers and McCullough led the investigation.

which came to dominate New Zealand industrial relations.

Booth himself visited North America which was the home of his local implements factory's competitors, International Harvester and Massey Harris companies. He reported back to Canterbury employers that American manufacturers had doubled the output of English and colonial workmen through the implementation of the bonus payment system which provided graduated monetary incentives to workers to reach their highest level of productivity. Workers performed in the knowledge, Booth observed, that there was an opportunity in their social system for the ambitious and hard-working to rise.⁷¹ The connection of Booth with America is not evidence of the importation of an ideology for Booth formulated his practical strategies in response to New Zealand labour conditions. The American influence was felt more as a result of the consolidation and combination in American consumer goods industries which had provided International Harvester with the resources to build up a number of farm implement lines and to start experimenting with the use of petrol engines. Pioneer research was being conducted on electrical and internal combustion engines.⁷² The point is that the manufacturers complained that they had been 'interfered with' by the Arbitration Court while their competitors, the Americans, were unregulated and expanding. Massey International, for instance, was even exempt

71. Farmers' Advocate, 31 March 1906.

72. Chandler, Alfred, D., 'The Beginnings of "Big Business" in American Industry', Business History Review, 33, Spring 1959, pp.24-25. The metal industry went through its most intensive period of change after the industrial revolution in the last two decades of the nineteenth century.

from the provisions of the Engineers' Award for their New Zealand operation. In an attempt to compete, Booth concentrated upon reorganizing his factory and introduced the bonus system with the initial result that "his firm got double the amount of work out of the men for a little extra pay".⁷³ Booth looked to the Arbitration Court to sanction his reorganization.

Unionists like McCullough did not object to piecework or premium bonus systems if they were incorporated in a regulated system and if the workers had some voice in setting the prices. In the event, the workers' advocate and the workers involved opposed Booth. The Judge, however, refused to prohibit all premium and bonus work; rather he applauded the system, agreed with the engineering journals produced by Booth and quoted from Dr Shackwell's book on industrial efficiency as Booth had done.⁷⁴ Sim believed that Canterbury workers did not understand the system. It had, he told them, been approved by the British Amalgamated Society of Engineers and it was unfortunate that Booth had not explained it to them.

Whatever Judge Sim's personal views were, the Court's policy on minimum wage proposals thwarted Booth. The Court's views on this were plain:

An employer is entitled to adopt a piecemeal system or a bonus system without any special leave so long as he pays his workers not less than the minimum wage fixed by the award for every hour worked by them. (75).

73. P.S., 24 June 1908.

74. BOA, vol.9, 1908, pp.449-450, Christchurch Iron and Brass Moulders' Award.

75. *ibid.*, p.819, Christchurch Range-workers' Award.

Booth and MacDonald were cited in a number of different awards, Christchurch Tinsmith's and Sheetmetal Workers', Canterbury Traction and Stationary Engine Drivers', Canterbury Engineers', as well as the Christchurch Iron and Brass Moulders', in two years. Consequently the company had at least four different schedules to juggle. Moreover, as Sim further ruled, a bonus system could only be introduced as long as the employer could first find agreement with the union on the log for the work.⁷⁶ In a case brought before Sim, however, Booth's own works' manager stated in Court however that in Booth's factory the moulders had not entered wholeheartedly in the system and increased wages had only amounted on average to four percent.⁷⁷ Booth abandoned his system convinced that there was a colonial plan of 'going slow'. This immoral slovenliness was, he believed, orchestrated by the unions and sanctioned by the Arbitration Court: "I am quite sure that the Arbitration system has resulted in a loss of efficiency far greater than ever resulted from strikes".⁷⁸

Booth's disenchantment was shared by most Canterbury employers. The CEA thought that at a time when "mercantile and political relations were undergoing disintegration and readjustment", unionists like McCullough and his radical political allies of the CTLC were a menace. Some believed that McCullough was successfully manipulating the arbitration system for his own socialist ends. McCullough represented unionism at the

76. BOA, vol.10, 1909, p.357, Canterbury Saddlers', Harness and Collar Makers' Award.

77. P.S., 24 June 1908.

78. Le Rossignol, J. E., and Stewart, W. D., State Socialism in New Zealand, New York, 1910, pp.247-249.

centre and in many ways he constituted the greatest obstacle to Canterbury employers, greater even than the militants. Along with many other employers by 1908 Booth was no longer prepared to buy industrial peace at the price of compromising with those like McCullough whom he called socialists.

It was manufacturers like Booth who led the chorus of complaint against the arbitration system. The exemptions which McCullough had complained about so bitterly meant that the employers of manufacturing industries were disproportionately represented among the employers involved in arbitration. These employers argued that manufacturing industries had not developed as rapidly as they should have in a period of general economic prosperity in New Zealand between 1896 and 1908. A downturn in the internal market and technological specialization occurred at a time when New Zealand manufacturers faced competition while they had hoped for a massive and profitable export drive.⁷⁹ Relying on official employer sources, Mary Rankin concluded there was not only a massive fall in efficiency but a massive contraction of the manufacturing sector.⁸⁰ More recently, however, stress has been placed on the factor of the internal market and Hawke has posited an overall substantial gain per capita in productivity in New Zealand between 1897 and 1907.⁸¹ Whatever was the case, the employers were determined to control workers' productivity and the cost of labour.

79. P.S., 27 July 1909.

80. Rankin, Mary T., Arbitration and Conciliation in Australasia, London, 1916, pp.56-58.

81. Hawke, G. R., The Making of New Zealand, Victoria University Working Papers in Economic History, 81/3, November 1982, p.100.

McCullough sat day after day listening to the employers' tale of economic woe which they presented to the Arbitration Court: chemical manufacturers faced competition from Japan, brassmakers faced competition from Home (England), paper manufacturers competed with continental producers and tanners with the Victorians across the Tasman.⁸² There was a shortage of labour - especially female labour and a falling birthrate. It is no coincidence that the open shop or anti-preference and anti-union movement focused on the 'female industries' - clothing workers, bootmakers and domestic servants - as well as farm labourers and coal miners. Demand for these kinds of labour was high: these industries were expanding at a time when these groups headed the labour shortage lists produced by the Department of Labour.⁸³ Both the Kaitangata Coal Company of Otago and the Kaiapoi Woollen Company of Christchurch had private immigration schemes.⁸⁴

Employers had the upper hand at the beginning of 1908. McCullough had been informed on taking his seat on the bench that it was unfortunate for his reputation as WRAC that he should be elected at a time when the economy meant workers could expect few gains from the Court.⁸⁵ However, the employers went beyond arguing that the exigencies of the economy demanded that there be no wage increases, in standing by the old award as far as possible and securing the sympathy of the Court. At a particular period of capitalist development and

82. Otago Daily Times, 12 February 1908, *ibid.*, 14 February 1908, Southland Times, 19 February 1908, L.T., 10 March 1908.

83. CEA Annual Report 1908, p.12.

84. OEA Outward Letter Book, W. Scott to James Williams, London, 17 January 1907.

85. McCP/D1., 16 January 1909.

export expansion in New Zealand, employers sought to attack workers' control in the labour process. McCullough for his part constantly attacked the CEA and its leading protagonists for what he claimed were the "mis-statements, misrepresentations and false innuendos" over the Arbitration Court. For instance, he questioned George Booth's statements that manufacturers were barely holding their own by the observation that 355 agricultural implements manufacturing businesses in 1905 had doubled in five years to 708.⁸⁶ McCullough accused employers of attempting to restrict income distribution mechanisms through the Court and thereby averting an increase in labour costs so as to be able to reap the benefits of an expanding export market.

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While newspapers clamoured about "Labour's pinpricks", the workers' readiness to complain about a whole plethora of minor matters before the Court or labour's refusal to accept that Court decisions would not always be to their liking, McCullough denounced an employers' offensive. A typical clause in an award was that, subject to the provisions stipulated, an employer had the fullest control over the workplace and could make such rules as he thought expedient for proper management. Individual employers used different methods at different points in the decade to exert their managerial prerogative. McCullough was aware of the struggle for control of the work-

86. L.T., 22 August 1910, Old Trades Unionist is McCullough's pseudonym. See CEA Annual Report 1914, p.19, statistics by the association of the effect of competition.

place that resulted from the exercise of this managerial prerogative. But his view was necessarily a partial one for his knowledge of individual workplaces was often limited. However, certain events provided a coherent body of evidence for McCullough.

McCullough's own dismissal was not just another reprimand of an employee for breaking a gazetted regulation. It indicated a changed attitude by his employer. Le Rossignol and Stewart⁸⁷ agreed it was a matter of control: "If the Government does not rule the Civil Service, the Civil Service will rule the Government".⁸⁷ The Railway Department had always disciplined its employees and the lists of fines and penalties incurred by staff were published in the Railway Review. If McCullough had been late for work he could have expected to be fined three shillings.⁸⁸ The administration had taken a turn to severity with a new manager. J. T. Hornsby described this manager's influence to Parliament as turning the Addington Railway Workshops into "a seething mass of discontent". He suggested that the new man was "not fit to control a number of mules, much less men".⁸⁹ McCullough had been the leading tinsmith at the workshops. John Rigg has left an account of what craft control of a workshop in New Zealand in the 1880s involved.⁹⁰ McCullough watched as that control was undermined.

87. Le Rossignol, J. E., and Stewart, W. D., State Socialism in New Zealand, New York, 1910, p.213.

88. New Zealand Railway Review, 24 July 1908.

89. ibid., November 1907, p.29.

90. Atkinson Papers, a draft of John Rigg's autobiography, The Long Labour Fellah, pp.87-96.

Even when he sat on the Arbitration bench McCullough remained involved in the struggle for control. In 1909, for example, management alleged that the cost of work done at Addington Workshops was excessive, workers were deliberately incompetent working at 'Government stroke', that they were dishonest and stole materials.⁹¹ An official Addington Railways' Workshops' Enquiry was established to investigate the workshops. McCullough, Rout and most of his Christchurch union friends agreed that T. E. Taylor was the person who should be appointed to act as the workers' agent in the enquiry. Members of Parliament had traditionally championed the railwaymen's cause. However, J. A. Millar, the Minister of Labour, refused to allow the controversial Tommy Taylor to act as agent for the railwaymen and enhance his reputation. Taylor had come to the forefront of the local reform movement of church socialists and prominent unionists during the unemployment 'crisis' in the winter of 1909. In the event, McCullough's friend Dick Hampton represented the men and the employers' accusations were declared to be unfounded. However the battle of control continued. The Royal Commission on the public service and the Hunt Report of 1912 which resulted in the establishment of the Civil Service Commission might have been motivated by the highest regard to eliminate political patronage but its effect was to establish an inspectorate and a rigid classification system.⁹² It effectively controlled the entire public service and this aspect of the reform met with strenuous opposition from unionists like McCullough.

91. New Zealand Railway Review, 5 March 1909, p.75.

92. A.J.H.R., 1912, H-34, 'Report of Commission Appointed to Inquire and Report upon the unclassified Departments of the Public Service of New Zealand' (known as "Hunt Report").

The activities of the Tramway Board provided further evidence for McCullough of a concerted employer offensive. The Christchurch Tramway Board in its drive for greater efficiency caused much strife among its employees in the pre-war period by introducing new rosters, a merit and demerit system which was policed by a closer surveillance of employees while they were working and a clock system of time keeping. The workers complained that the 'demerit' system was administered by a new traffic inspector from his office through the reports of his subordinates without consultation with the men.⁹³ There were angry accusations that the Board sent out men to spy on their fellow workers just as was occurring to their Sydney colleagues who had long been fighting what they called the 'espionage system'. There were ten things one could gain merit points for and ninety-three things one could gain demerit points for. One hundred demerit points resulted in dismissal or a hearing before the Appeal Board at the discretion of the manager. The workers also constantly complained that the new punch system for keeping their times was not reliable. The fines imposed by the Board in addition to the 'demerit system' for those who were late for work constituted a breach of their agreement with the management.⁹⁴ It did not escape McCullough's notice that George Booth was a member of the Tramway Board. When approached for comment Booth complained that agitators had been at work attempting to stir up discontent.⁹⁵ He would not willingly countenance any unjust or harsh treatment of any men in his employ. Management's defence was that factories were able to

93. L.T., 23 October 1909.

94. P.S., 11 July 1911 and 6 April 1912.

95. ibid., 14 September 1911.

personally supervise all workers through foremen or shop managers all the time but the Tramway Board could not supervise its employees for ninety percent of the time and thus had to compensate for this.

The discontent which stemmed from this thrust for efficiency and control was pervasive. McCullough wondered only that the response of labour was so unorganized. McCullough led a public protest by railwaymen over a minor matter of a closure of an accessway which had been open for many years but was lost to a new goodsyard. Management refused to discuss the matter. McCullough organized a public meeting, a petition, a deputation to the Minister and was indirectly responsible for a visit by the Prime Minister to the Workshops on the matter.⁹⁶ The feeling was very strong. Angry tramwaymen had midnight stopwork meetings. At a public meeting called by the tramwaymen McCullough's friend, Arthur Paterson, proposed a Federation of Transport Workers, Bob Whiting an Act of Parliament and Fred Cooke militant action before the meeting ended in disorder.⁹⁷ There was much anger but it did not result in militant action, rather it was channelled into political organization. While organized employers were attempting to capitalize on a period of economic depression to launch an offensive to win control over all aspects of the work process, an increasingly class conscious union leadership was attempting to make significant steps along the road to political independence. The ensuing struggle was an episode in the developing class unity which had remained elusive to

96. L.T., 15 January 1909, Ratepayer is McCullough's pseudonym.

97. ibid., 2 May 1912.

McCullough's IPLL.

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Until recently, historians have concentrated upon strikes as an indice of discontent with the Arbitration Court. For contemporaries such as McCullough, the 1911 municipal elections in Christchurch were also an important indice of the growing discontent with the Arbitration Court. These elections involved important arbitration issues such as employers' recognition of unions which were attempting to secure uniform conditions. The employers' open shop campaign was a major issue of these elections. Indeed, nationally, the build-up to the local body elections between 1911 and 1913 are among the most underestimated events in industrial history.

The most important factor for trade union activists in Christchurch in 1911 was their complaint against the exemption of local bodies from arbitration awards. The unions' grievance against the Christchurch City Council's payment of wages to its employees and the Council's refusal to recognize union advocates led to the first "thoroughly well organized and determined effort to obtain a large number of seats":

Ever since the Council had refused to meet a deputation of its employees headed by union officials, the General Labourers' Union had decided to do all in its power to oust the Council.(98).

In 1907 the Council ignored requests from its employees for a

98. Hyslop, David A., 'The Christchurch Citizens' Association: History, Organization and Decision-making', unpublished M.A. thesis, University of Canterbury, 1973, p.2.

conference to discuss wages and conditions. The Court granted the Council an exemption from the award on the condition that the Council undertook to provide the same conditions and the same hourly rate as private employers were required. The union secretary contended that the employers' advocate was most able and his role was important:

... his advocacy in statements made by him and information which he gave to the Court had the effect of influencing the Court's decision and preventing it from fixing the minimum wage at a higher level. (99).

During the winter of 1909 the number of workers employed by the Council rose from 190 to 350. The Council applied for under-rate permits for a number of those unemployed relief workers. This was supported by John Barr and vociferously opposed by members of the CTLC, by an Unemployed Committee led by Bob Eckroyd, and by other members of McCullough's Independent Labour faction. They reckoned that this was an organized attempt to reduce the minimum wage from eight shillings to six shillings a day. In retaliation, the Council threatened to take steps to lower the wages of all workers to the minimum prescribed in the award. The opportunity to do so came when workers complained at not being paid overtime at Christmas and in January 1910 hours were reduced by four and workers' wages consequently docked by four shillings.¹⁰⁰.

Tommy Taylor led the protest meetings by the General Labourers' and the Drivers' Unions. 500 men and women turned up at the Council buildings to protest at the refusal of the Council to

99. L.T., 22 April 1911 and 24 May 1910.

100. *ibid.*, 12 July 1909.

meet a union deputation. They were refused entry and Taylor defended their position from his Council seat.^{101.} The mayor refused to meet union leaders Ted Howard and Arthur Paterson. The union leaders decided to contest the election.^{102.} The reduction of wages to Council employees and the fact that local bodies as employers were not prepared to negotiate with "professional unionists" and "Red Flag socialists" became election and not arbitration issues.

What the union struggles of miners, farm labourers, tin-smiths, railwaymen, tramwaymen and general labourers had in common was the opposition unionism faced. They responded to this in different ways. McCullough advocated making workers more aware of the need for political as well as industrial organization. In the first decade of the twentieth century unions were fighting for legal and employer recognition as well as organizing politically. Union membership and credibility, however, relied on the capacity of a union to influence working conditions. This remained McCullough's first priority. He believed the Arbitration Court was the principal means by which the majority of unions could gain both the credibility and numbers to enable them to become a class conscious political force.

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It was always difficult for McCullough to stand aloof from

101. Weekly Herald, 7 and 14 May 1910, transcripts of meetings by Ettie Rout.

102. CGLU Minute Book, 20 June 1910 and McCP/D3., 5 August 1910.

the struggles of the labour movement whose interest he served on the Court. This was the more so because his leisure and social life were bound up with Christchurch labour. He went on biking tours across the plains with his fabian socialist friend, Harry Atkinson, discussing reforms which should be worked for and their latest reading. He supported his brother Jim, who organized Band of Hope picnics in Hagley Park and he went to church to hear Jim lay-preaching and rubbed shoulders with T. E. Taylor's congregation. He spent hours discussing strategies in Ettie Rout's Chancery Lane office and the Gloucester Street Trades Hall. The farm labourers' case and conflict at the Addington Railway Workshops had drawn McCullough back to his old soapbox haunts. Moreover, as he travelled around the country he noted a build up of coal reserves. There could, he believed, only be

one reason for this and that is the reason given for building Dreadnoughts - if you want peace you must be prepared for war - I hope this is the reason the Government have - But I take leave to doubt this, be that as it may the fact remains that there are enormous quantities of Newcastle Coal lying all round the country. (103).

McCullough was less than hopeful of the outcome should the coal mine owners take the offensive. His misgivings on this front served to further sharpen his awareness of the need to operate within the arbitration system. They also helped confirm in his own mind that whatever his hankering for the less constrained life of the union activist he was now fully committed to his position as Workers' Representative on the

103. McCP Outward Letter Book, McCullough to Mick Griffith, 20 May 1909.

Arbitration Court. He had, as it were, served his apprenticeship and in so doing established for himself a method of combining the role of independent mediator and activist. There would always be a tension between the two roles but this he was now prepared to live with.

CHAPTER THREE

McCullough and union factionalism, 1909-1913

After 1909, McCullough's position as WRAC, his political base in the CTLC and his arbitration strategy were under attack from two main groups of unionists. McCullough's militant opponents criticized his association with the Court and his apparent support of Judge Sim's decisions. A campaign was organized to abolish the Court and to make McCullough redundant. McCullough's Lib-Lab and craft unionist opponents criticized his radical arbitration objectives, his political associations and, particularly, his involvement in the anti-militarist movement. Campaigns were organized to defeat him in the WRAC elections held at the end of 1910 and 1913. McCullough, then, was ridiculed on the one hand for being an arbitration apologist but was repudiated on the other hand for being an active critic of the established political order.

Despite McCullough's intentions, he became involved in the Christchurch labour movement and union infighting again. The Independent Labour Party (ILP) unionists mounted an intense political campaign in Christchurch after 1909 which drew McCullough back to active campaigning. Their political success was offset by their difficulty in retaining power in the CTLC. Within the Council there was a constant struggle between Lib-Lab supporters, Independent Labour men, Red Fed disciples and unionists who remained outside the major factions. McCullough's involvement heightened rather than lessened the tensions

between factions. The CTLC became less important for most ILP unionists after they successfully established a broad-based labour party in 1910. However, they could not escape the divisions which had crippled the CTLC. Such divisions were, in large part, merely transferred to the NZLP.

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In 1909 McCullough was committed to the CTLC's official political unionist strategy. If he had not been WRAC, he would have been prominent in the political executive which had been elected by the CTLC in July 1909. Previous Council executives had been ambivalent in their commitment to independent labour politics. The executive elected in 1909, however, was determined to make the Council a bastion for an independent labour organization. It was responsible for the CTLC adopting a small 'fighting' platform in 1910: the nationalization of land, banking and industry; political reforms, including the referendum and proportional representation; and the extension of the IC and A Act to include every class of worker. The CTLC's threefold policy of the establishment of both a dominion labour party and a dominion labour paper, in addition to the formation of a federation of labour, was designed to promote its political objectives.¹ McCullough had been one of the CTLC unionists who had been struggling to get the Council to support these objectives and political planks which national TLC Conferences had advocated for over a decade. He was to

1. CTLC Minute Book, 5 February 1910.

come to the fore in seeking to give effect to the Council's resolutions.

McCullough was under few illusions as to the level of unity among representatives of unions affiliated to the CTLC. From the time he had joined the CTLC at the turn of the century, the Council had been a forum of debate and compromise between a spectrum of unionists. However, in July 1909, the CTLC became an openly divided body. The long-standing faction fighting seemed to reach a decisive turning point with what the papers labelled as a "crisis in unionism":

... surpluses, ministerial changes and other subjects of a very general interest had usurped the place formally given to questions connected intimately with the Union's affairs ... now several unions, after expressing their utter disapproval of the new order of things have decided to ... let the Council, with its advanced socialism, its political discussions and its aspirants for political honours go its own way. (2).

Essentially it was the old struggle with which McCullough was very familiar. The Lib-Lab craft unionists led by Barr, Rusbridge and Westbrook were squaring up to ILP unionists led by Sullivan, Hunter and Darcy. What was novel in 1909 was that a small section of Lib-Lab and craft unionists seceded from the Council after a political executive won the elections.³ Mouat has described the 1909 executive elections and the subsequent secessions as a decisive victory for the ILP faction.

2. L.T., 10 July 1909.

3. ibid., 12 July 1909. It should be noted that a group of unions including the Iron Moulders', Metal Workers' and Drivers' also contemplated secession before the July elections. They considered the CTLC was not political enough. They did not secede but worked toward amending the constitution so that political matters could be discussed officially.

There remained on the Council, however, a solid conservative rump ready and able to frustrate the victors.⁴ More significantly, the political executive did not remain united after 1909. The improvement in the ILP's position was a source of further division. It removed the cohesion which opposition to the Lib-Lab and craft faction had provided. Thereafter, whenever McCullough attended a Council meeting he found the factions divided:

[they were] wrangling like a mob of dogs over charges or insinuations made by E. Howard against the other delegates. I left at 9.30 when the chairman's ruling was being disagreed with by Mr Rusbridge.(5).

An internecine battle was developing.

McCullough deliberately avoided being publicly embroiled in the CTLC infighting after his WRAC election. This was in spite of his having been made an honorary member of the Council with an open invitation to attend formal meetings. He feared losing his job as a result of partisanship. Taunts such as "You'll get the sack again, old man", which greeted his first appearances as WRAC on a public platform made him wary.⁶ However, McCullough's resolve to remain aloof from the union debate weakened after 1909. His overriding concern was the fear of the repercussions for the local labour movement of the sectional tendencies of some unions. Unions were organizing into national, horizontal federations in

4. Mouat, J., 'The Christchurch Labour Newspaper Projects of 1909-1910', unpublished extended essay, University of Canterbury, 1981, p.8. Mouat estimates that about 8% of the unions affiliated to the CTLC seceded. 109 out of 146 delegates voted two to one in favour of the CTLC's new executive which suggests an opposition of about 30%.

5. McCP/D2., 17 September 1910.

6. L.T., 15 January 1909.

contrast to the predominantly local, vertical associations which had given rise to the 'mighty' CTLC, the largest TLC in New Zealand in the first decade of the twentieth century. The Christchurch Drivers' Union (CDU), for instance, would not support a proposal for an association of unskilled workers because it had already decided to work towards a dominion drivers' federation and a dominion award from the Arbitration Court.⁷ As a union it made the wage question its predominant concern. Representatives of these new federations attempted to seize control in the established local labour organizations. McCullough was concerned, in particular, with the role of the Shearers' Union secretary, Mick Laracy, formerly a close associate, whom he came to regard as a 'wolf in sheep's clothing' threatening the very existence of the local union organization which McCullough had devoted a decade of his life building.

Of all the Christchurch unions McCullough was most closely associated with the Farm Labourers' Union and its stronger rural associate, the Shearers' Union. In August 1909, McCullough accepted an invitation to speak at the inaugural meeting of the New Zealand Shearers' and Woolshed Employees' Industrial Federation of Workers (Shearers' Union).⁸ He could not raise much enthusiasm for the union's membership tickets which contained a portrait of the Liberal Prime Minister, Richard John Seddon, whom the union claimed had been the "greatest labour advocate". However, McCullough warmly

7. CDU Minute Book, 12 July 1909.

8. McCP/D2., 13 August 1909.

supported the union's objectives: to gradually replace the competitive system of industry with a co-operative system; to secure social justice by political action; to assist kindred organizations to uphold the rights and privileges of workers; and to generally assist in the emancipation of labour.⁹ The proposed constitution and rules of the federation were based on those of its Australian counterpart, the Australian Workers' Union (AWU). McCullough had encouraged his friend, Pat Darcy, the union's secretary in his trip to Australia to study the mighty AWU first hand with a view to emulating that national body's success.¹⁰ The AWU had a membership of over 44,000, a highly successful official paper, The Worker, to which McCullough was one of many New Zealand subscribers and an encouraging number of successes.¹¹ Pat Darcy mysteriously 'disappeared' in 1910 leaving McCullough searching the Wellington bays where Darcy's clothing was found and writing tender obituaries for a friend who was actually on board the mailboat to San Francisco. Darcy's disappearance presented an important opportunity for the union's southern organizer, Laracy, to further his union ambitions. He filled the secretarial position in the breach and was elected permanently soon after. McCullough looked forward to the awakening of the New Zealand Shearers' Union under an enthusiastic leadership whose organizing campaign had reached beyond traditional areas.¹² One quarter of its member-

9. P.S., 23 August 1909.

10. Darcy arrived in New Zealand in 1903 and worked as a ploughman in Ashburton for four and a half years. He then became secretary of a number of Christchurch unions including the Slaughtermen's Union and the Tailoresses' Union.

11. P.S., 10 September 1909.

12. Weekly Herald, 2 April 1910.

ship, for instance, was Maori; it had a Maori vice-President and a list of short-term objectives which included better accommodation for Maori women shed hands.

Like Darcy and McCullough, Laracy had been involved in the FLU. Laracy had once proclaimed that no man in New Zealand had the welfare of workers more at heart than Jack McCullough.¹³ McCullough and Laracy's mutual regard for one another dwindled after 1910. Laracy, acting under union instructions, set up an office of the Timaru-based Shearers' Union in Christchurch, joined the CTLC and attempted to implement a programme which severely compromised McCullough's plans. First, Laracy wanted a narrow-based union party centred on the CTLC. This policy was anathema to all the other CTLC coteries: the Lib-Lab policy so ably advocated by John Barr of sane "non-party" unionism; the Socialist Party's plan of separate political representation but co-operation between all socialist and educational parties as espoused by Ted Howard; but particularly, it cut across the ILP unionists' policy of a broad-based community party and support for Tommy Taylor whom McCullough championed. Second, McCullough's union friends, Ted Kennedy and Ettie Rout joined forces with Laracy and supported the shearers' paper, the Maoriland Worker, at a time when the CTLC officially campaigned for the Wellington-based TLC Weekly Herald, using McCullough unofficially as an organizer. Third, Laracy insisted that McCullough protest vigorously against the Arbitration Court decisions he disagreed with. Laracy attempted to get him to support the organization of more militant unionism and the federation movement before all other causes.

13. Roth Collection, Timaru Herald, 7 October 1907.

McCullough responded to Laracy's moves by insisting that united union action in the Arbitration Court arena and political unionism should not be sacrificed by the industrial federation movement. He was incensed by Laracy's campaign to use Peter Bowling, a militant IWW miner from Broken Hill in Australia, to forge a "unity" amongst the warring factions. In reply, McCullough supported a rival campaign led by W. T. Mills from the ILP capital of Milwaukee in the United States of America. McCullough considered Milwaukee, where ILP candidates had been elected to a majority of official positions, was a more appropriate model for New Zealand labour than the Broken Hill one. With Mills' arrival in New Zealand in 1911, what McCullough called 'the battle of tingods' began in earnest. McCullough and Laracy's estrangement was characteristic of the fall-out amongst members of the local movement which preceded these national events and it is to that development that we now turn.

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When McCullough joined the Court the Christchurch ILP was the strongest branch in the country:

They had an organizer [Miss Powell] working in Christchurch. Her meetings had been packed to the doors and most enthusiastic. The open air meetings were splendid, new members coming in freely while sales of literature and collections had been beyond all expectations. Of penny pamphlets about fifteen shillings worth and over were being sold nightly. (14).

14. Southland Times, 13 February 1908. The passage quoted is from Thorn's speech delivered at the establishment of an IPL in Invercargill.

McCullough was to learn that progress from that point was not to be smooth. He had been delighted with the election of Dave McLaren for Wellington Central in 1909.¹⁵ Despite McLaren's election as the ILP's first successful parliamentary candidate, however, McCullough regarded the 1908 general election as a setback. He had donated a considerable amount of money towards the unsuccessful campaigns of Howard, Sullivan and Thorn. Moreover, W. W. Tanner, the sole survivor of the Labour unionists elected in 1890, was defeated by G. W. Russell, a right-wing Liberal. Similarly, J. T. Hornsby and A. R. Barclay who had championed the ASRS's cause were defeated by candidates with no strong associations with unionism.¹⁶ McCullough was pessimistic about what he saw as the growing influence of the unsympathetic Scobie McKenzie in the Ward administration which was not counter-balanced by the inclusion of J. A. Millar, one-time Secretary of the Maritime Council, in the Cabinet. McCullough had been suspicious of J. A. Millar's intentions after his appointment as Minister of Labour, the more so when Sam Brown, the Employers' Representative on the Arbitration Court, moved with "break neck speed" to offer congratulations at his re-election. The employers clearly did not live in fear of the new minister. McCullough's hopes for the future received a further set back when prominent friends like Tom Paul went cold on the idea of an independent labour party.

In an effort to rekindle interest in the idea, McCullough turned his attention to finding a popular figurehead around whom

15. McCP Outward Letter Book, McCullough to D. McLaren, 28 November 1908.

16. *ibid.*, McCullough to J. T. M. Hornsby, McCullough to A. R. Barclay and McCullough to J. T. Paul, 2 December 1908.

an independent labour party could be built. His chosen leader was the controversial Tommy Taylor. A series of events over several years made Taylor the logical candidate for McCullough and other ILP unionists to support. Taylor's relationship with these unionists was built upon a common industrial philosophy, similar short-term social reform objectives and upon mutual support for an independent labour party. From 1907 and the strike of the slaughtermen, Taylor had taken a public stand in support of McCullough and other CTLC unionists on the labour unrest. The restlessness of the average worker, he told his audiences, was only to be expected in view of rising company profits.¹⁷ Although for different motives, both McCullough and Taylor had been involved in the Anti-Boer War campaign in Christchurch. In 1909 they joined forces with Harry Atkinson to lead the meetings called to protest at Wards' offer of a battleship to the Royal Navy without first consulting Parliament. McCullough was a pacifist who used the constitutional grounds to protest at Ward's actions and this approach facilitated a joint effort with Taylor.¹⁸ McCullough chaired the Christchurch "Anti-Dreadnought" meetings at which Taylor was supported by a platform of union activists and Labour sympathizers. Taylor managed to get rowdy audiences to adopt the Christchurch General Labourers' Union's (CGLU's) motions of

17. L.T., 25 February 1907.

18. ibid., 3 April 1909. Taylor definitely took a constitutional and not a pacifist position on the Battleship issue. Despite the enormous farmer protest at his being an "unpatriotic demagogue", Taylor supported a scheme of compulsory military training and rifle clubs to encourage shooting as a national pastime. Even during the Boer War, Taylor was involved in the Canterbury War Fund. See Canterbury War Fund Minute Book, 27 December 1899.

indignation at Ward's gift.¹⁹ He attended the 1909 TLC's Conference and applauded the delegates' intentions to establish a labour paper and a labour party for direct worker representation.²⁰ Although a socialist, McCullough believed 'pure socialism' could not be successful in New Zealand without a broad-based labour party. He believed Taylor was just what the Christchurch labour movement needed. McCullough informed Ramsay MacDonald that Taylor was a "really strong man [,] brainy and the best platform man in New Zealand" who had promised, moreover, to stand in labour's interest in the 1911 General Election.²¹

McCullough admired the skill with which Taylor had whipped local prohibitionists into a formidable pressure group. Although not a prohibitionist himself, McCullough sought to capitalize on the organizational skills the wowzers showed. He noted with pleasure that while Seddon had decried them as a 'minority of faddists and fanatics', by 1909 they had organized themselves to a point where prohibition was becoming likely. McCullough had tried to convince Tom Paul to support his strategy for over a year:

Let us get the faddists and fanatics into the Labour movement and then 'what oh she bumps' and it will be a H--l of a bump for the rail sitters.(22).

For the moment the pressing problem was finding a basis for local unity which might sustain the political unionism

19. L.T., 6 April 1909.

20. ibid., 1 and 2 November 1909.

21. McCP, folder 4, McCullough to Ramsay MacDonald, 7 September 1910.

22. McCP Outward Letter Book, McCullough to J. T. Paul, 2 December 1908.

which McCullough desired. McCullough and Taylor had plans for a public meeting to launch a new ILP.²³ However, Hiram Hunter and Pat Darcy of the CDU organized an inaugural meeting first.²⁴ The goals of the two groups were the same:

... the formation of a political party to be called the New Zealand Labour Party with the object of organizing not only trade unionists, but also all persons outside the ranks of Labour who were in sympathy with the Labour platform and desired to secure the return to Parliament of candidates pledged to support it.(25).

For the term of its existence, the Christchurch South branch of the NZLP continued to send remits to the executive to amend the rule which directed TLCs to form branches of the party. That branch wanted the party to provide membership to any individual who was willing to subscribe to its constitution.²⁶ The Christchurch South branch would never control a majority of the NZLP executive although the largest single group on the executive was the Canterbury unionists.²⁷ Once the local organization had been established Taylor and McCullough turned their efforts to the co-ordination of a national party based on the Christchurch model.

Their opportunity came in the by-election in Auckland East called at the death of the sitting member in June 1910. When

23. McCP/D2., 9 July 1909. He also met A. W. Hogg on the matter 24 July 1909.

24. Atkinson Papers, A. Rosser to H. A. Atkinson, 17 November 1909. Atkinson was approached independently by the Auckland Labour Party organizers to set up a Labour Party branch in Christchurch.

25. L.T., 17 July 1909.

26. ibid., 22 April 1911.

27. ibid., 7 out of the 16 delegates to the NZLP Conference in 1911, for example, were Canterbury unionists.

the Auckland East branch of the Labour Party wired its decision to its Canterbury friends that it was going to select a candidate from three nominations - G. Knight, G. Davis and G. Walsh - McCullough and Taylor immediately went north to assist the "Parnell muddlers". They were joined by Tom Paul and Dave McLaren. McKnight was the selected candidate but he was dropped when it was realized he opposed unqualified preference for unionists which was a prerequisite for trade union support.²⁸ McCullough and Taylor supported one of a number of late entries in the race, a Christchurch candidate, T.J. McBride, a middle class businessman who had provided finance and encouragement to the struggling Christchurch Labour Party.²⁹ He had been a long-time supporter of an ILP. Ultimately, the Christchurch contingent did not attempt to impose McBride on Auckland East but bowed to local wishes.³⁰ Davis was eventually selected but his support was divided since one of the rejects, McKnight, stood independently. Davis was easily defeated at the polls.

What disturbed McCullough most about the Auckland East candidature controversy was a resolution from the floor at the eight hour selection meeting which Taylor and he chaired. The resolution demanded the elimination of nominees who were not members of a trade union, the Labour Party or those who

28. McCP., folder 4, McCullough's account of the Auckland East election.

29. Roth Collection, T.E. Taylor's telegram to McCullough, 4 June 1910. L.T., 9 June 1929. Thomas McBride was an Irish compatriot friend of McCullough's, one-time vice-President and General Manager of the Canadian branch of the Massey-Harris Company, a Liberal candidate in the 1905 General Election for Courtney and a Chairman of the Canterbury Conciliation Council in 1906.

30. P.S., 6 and 8 June 1910.

had not closely identified themselves with the Labour movement for at least twelve months. This resolution was specifically directed at Reverend Black, another late nomination, whom the New Zealand Alliance urged was the only candidate who could win against a Brewery-supported conservative candidate, A. M. Meyers. The spirit of the resolution threatened McCullough's scheme of hastening the emergence of a parliamentary labour party by converting discontented Liberals to the Labour fold. McCullough, nonetheless, persisted with his attempts to win over Tommy Taylor. He put his ideas to Paul and Breen and suggested that Taylor be invited to the 1910 national TLC Conference.³¹ To clear the way for Taylor, he successfully put forward what was to become a very controversial constitutional amendment, namely, that sitting Members of Parliament who chose to run as NZLP candidates be exempted from the normal preliminary selection ballot.³² He was able to convince a poorly attended meeting in Wanganui to support his amendment but Christchurch Labour was less responsive.

The issue of T. E. Taylor and dissension over the NZLP's constitution culminated, after June 1910, in tempestuous Christchurch South Labour Party meetings. Laracy was the branch's organizer and he was joined in his attack on McCullough's strategy by two other dissaffected unionists, Charles Lafferty and Otira co-operative workers' campaigner, Harry Campbell.

31. McCP/D2., 7 May 1910.

32. Constitution of the New Zealand Labour Party, as carried by the Conference, July 1910, Auckland 1910, p.1. Clause 7 provided exemption from preliminary selection ballots for any sitting M.P. contesting his first election after joining the NZLP.

They accused McCullough of favouring an alliance with the Liberal Party. They claimed that Bob Whiting and Hiram Hunter had engineered the inclusion of clause seven in the NZLP's constitution to facilitate a new Lib-Lab party with McCullough's collusion.³³ This soon became a national issue. H. A. Scott-Bennett, lecturer for the Red Federation and the Socialist Party, expressed outrage at the overtures made to advanced Liberals to form the nucleus of a new Lib-Lab party. The debate was at its fiercest in Christchurch.³⁴ The Lyttelton Times provided the public forum for debate with Harry Campbell attacking McCullough's argument that if the clause was not good opponents should wait until Conference to amend it. In the event, Campbell and Lafferty walked out on the NZLP Conference after they had been elected to a committee to review the constitution's rules.³⁵ Howard announced on behalf of all true socialists at a meeting held by Taylor on the need for a NZLP that Christchurch socialists would be fighting the Labour Party for all they were worth.³⁶

McCullough's critics accused him of becoming less radical and more pragmatic. Campbell attacked McCullough's respectability, and his dignified position at the centre:

Every worker in the town would like to see him back in his old place on the stump in the Square again and we would also like to again see his inspiring articles in the Press and we would like to hear his voice calling aloud for a class labour party whose aim would be straight out socialism.(37).

33. L.T., 3 December 1910. McCP/D2., 29 December 1910.

34. M.W., 20 January 1911.

35. L.T., 20 April 1911.

36. ibid., 7 July 1911.

37. ibid., 29 December 1910.

McCullough's critics were only partially correct when they lamented that he had abandoned effective class unionism for ineffective fabianism. When McCullough joined the Fabian Society, which his close friend Harry Atkinson revived in 1908, it was no new departure.³⁸ McCullough's socialism had always been fabian. He had a utilitarian goal which he believed would only be secured through the action of the state in the economic sphere. He had always stressed the importance of rational, practical and empirical socialism which he believed would only be achieved by peaceful democratic means. McCullough held a condescending Hobbesian view of the working class: the working class had been brutalized through the process of the capitalist industrial revolution. He believed middle class philanthropists and a working class elite acting jointly would play the most important role in the achievement of an economic system of peace and morality:

Socialism is taking form in advanced societys [sic] and among the intellectuals of the world, and will be finally accomplished through the conscious action of innumerable educated individuals seeking an avenue to rational and pleasant existence for themselves and for those whose happiness and freedom they desire as they do their own.(39).

The Fabian Society offered a sanctuary to McCullough after his self-banishment from the CTLC. He felt at ease with the peaceful members of the Society; they were old friends like the Atkinsons who had provided fellowship and intellectual stimulation before any other socialist clubs had existed.

38. Roth, H., 'In Memoriam: Harry Albert Atkinson', Here and Now, 51, June 1956, p.20.

39. McCP., folder 14, notes of speech by McCullough on 'The Moral Aspects of Socialism', which he delivered to the East Christchurch Brotherhood, 16 October 1911.

Most importantly, the Society was not rent by divisions. Its debates centred on issues such as whether a rule was necessary to reflect a policy of equal numbers of women on its executive.^{40.} McCullough did not agree with some members like Rev. J. O'Bryen Hoare that there were parties enough or with Eveline Cunningham's declaration that socialism was religion.^{41.} He remained committed to working class politics. He worked to get the Fabian Society to continue its links with the Christchurch Municipal Election Committee by joining the NZLP and to continue its links with the CTLC by supporting the TLC's Federation of Labour (NZFOL).^{42.}

While Laracy criticized McCullough's fabianism, ironically, he also attempted to win McCullough's support for his schemes. At first McCullough was more successful in his manoeuvrings. He had encouraged Darcy, Laracy and Rout to write a shearers' column in the Weekly Herald. This Wellington Trades and Labour Council paper was formulated by McCullough's friend, John Rigg, who established the New Zealand Labour Party Publishing Company.^{43.} Support for an independent labour paper was strong in Christchurch.^{44.} A Labour Newspaper Committee which met in Ettie Rout's Chancery Lane office, had been set up at the same

40. Fabian Society Minute Book, 19 August 1908.

41. O'Bryen Hoare, J., Why Am I a Socialist?, Christchurch, 1904, p.4. Cunningham, E. W., The Lectures and Letters of Eveline Willet Cunningham, edited by her children, Christchurch, 1918, p.3.

42. L.T., 26 November 1910. The Fabian Society called the meeting of all progressive societies to unite them in a national Labour Party.

43. Weekly Herald, 9 April 1910.

44. Mouat, J., 'The Christchurch Labour Newspaper Projects of 1909-1910', unpublished extended essay, University of Canterbury, 1981.

time as the CDU had inaugurated the Labour Party. CTLC unionists protested strongly at the media coverage given to them during the campaign against unemployment during the winter of 1909. The general feeling was that labour needed its own paper, and unions affiliated to the CTLC promised 600 pounds for a scheme to establish a labour paper. This capital was deemed to be insufficient, however, to set up a successful local paper. McCullough acted as an agent attempting, instead, to weld together the Weekly Herald and the Auckland Worker to form the basis of a dominion-wide newspaper.⁴⁵ He worked hard to get the scheme off the ground, but there was much opposition. Barr, for example, was suspicious that the paper would become a mouthpiece for McCullough's Independent Labour faction. Unfortunately for McCullough, Barr manoeuvred skilfully and wrote a circular to all unions seeking their views on the newspaper proposal. His signature was sufficient to frighten off Independent Labourites.⁴⁶ Ironically, for the first time, McCullough found himself defending Barr, his old adversary, in the name of unity.

McCullough's hopes for a united campaign to establish a labour paper received a set-back when Laracy and the shearers prepared a scheme for a dominion newspaper, the Maoriland Worker. Laracy called a meeting at Trades Hall to discuss the proposal which was chaired by Ted Howard.⁴⁷ He invited

45. McCP Outward Letter Book, McCullough to T. G. Love, 19 August 1909 and McCullough to H. Hunter, 1 September 1909.

46. McCP/D2., 7 to 16 September 1909, L.T., 9 July 1909, gives an indication of antipathy to Barr's representation of labour in the media.

47. ibid., 1 September 1910.

the entire Labour fraternity as well as three West Coast miners. McCullough proposed that the paper adopt the platform of the NZLP and this was unanimously supported. But McCullough had invested too much of his own energy and capital in the Weekly Herald to be enthusiastic about Laracy's scheme:

[I] Had some words with Mick whom I accused of trying to push me and commit me to a proposal of his without giving me a chance to express an opinion. I expressed my opinion that the £40 or £50 which his proposal for a sample copy would cost might be better expended sending him around the unions and assist the present Weekly Herald. (48).

McCullough circularized the unions himself inviting them to subscribe ten pounds to send out a missionary to all unions. Support for the reconstituted Labour Paper Committee was poor. Whereas 600 pounds had been subscribed for a local paper, the CTLC unions only subscribed 192 pounds to the scheme to use the Weekly Herald as the basis of a dominion paper. This support was accompanied by a concern over Canterbury's coverage and a demand for a separate Christchurch editor. While Mouat has suggested that McCullough happily supported the Maoriland Worker after September 1910, he was merely defeated by parochialism and lack of finance.⁴⁹ Most importantly, he did not have a union base he could directly command.

The paper issue served to alienate many East Coast unionists from their West Coast counterparts. When the shearers

48. McCP/D2., 17 August 1910.

49. McCP Outward Letter Book, McCullough to T. O'Byrne, 11 February 1911. McCullough attributed the Weekly Herald's poor circulation to competition such as Mick Forde's World of Labour which was established in Invercargill.

experienced financial difficulties, McCullough assumed the 'Herald people' would be invited to the conference the shearers held with the Red Federation to discuss the paper's future. Laracy and Rout maintained that the Red Feds objected to this. McCullough had been initially pleased with the formation of the Red Federation despite the fact that many of its members operated outside the jurisdiction of the Court. As the militants had their way and some of his old friends, like Jack Foster at Denniston, lost their union posts, McCullough became less certain.⁵⁰ When the Red Feds took over the paper McCullough became openly critical. Mick Laracy had expected an executive position and the shearers had hoped to have an equal share in management. The better organized and financed miners' leaders eased him out with a six month organizing contract which was not renewed.⁵¹ He became very bitter claiming Webb and Semple were running the Federation in a dictatorial fashion. Ettie Rout was furious at the take over and considered a civil action to sue the Red Feds since she was registered as the paper's proprietor. McCullough was angry that Laracy and Rout did not anticipate that they would be outmanoeuvred. When he next saw the Red Fed leaders he told them what he thought of their tactics:

I told them something of my mind as to what I thought of their tactics, their abuse of men equally as honest-earnest, though [with] perhaps less ability

50. McCP Outward Letter Book, McCullough to P. Hickey, 27 October 1908 and McCullough to J. Foster, 6 January 1908. For Jack Fosters' position in the union and his relationship with other miners' leaders see O'Farrell, P. J., 'Politics and Coal' in Philip May (ed.) Miners and Militants, Christchurch, 1975, p.115.

51. Hickey, P. H., "Red" Fed Memoirs, Auckland, 1925, pp.37-38, for negotiations between Laracy and the Federation.

and economic knowledge than they themselves possessed ... (52).

After the paper issue McCullough and his TLC friends agreed that action was necessary to improve their position in anticipation of any future union amalgamation.⁵³

Laracy's scheme to secure Peter Bowling as a lecturer and organizer for the CTLC and to bring the whole labour movement under the Red Federation further convinced McCullough of the need for a TLC offensive. Laracy optimistically told a representative meeting of the Christchurch union fraternity that it would be possible to organize the union movement in six months and this would be best done by an outsider.⁵⁴ He wanted the TLC to join the Red Federation and swamp it by sheer numbers. McCullough, Dan Sullivan and Arthur Paterson were vociferous in their opposition to Laracy and his supporters, Harry Campbell and Fred Cooke. McCullough was adamant he would not support Laracy's scheme:

I cannot believe that Bowling is the man who can become our Moses. By his denunciation of Labour men in Australia and his own statements I'm afraid he is not qualified by temperament to guide us out of our difficulties.(55).

The national executive of the Labour Party were less conciliatory in their opposition. Elijah Carey, President of the NZLP, declared the question of a dominion organizer was not for Laracy and his friends to decide.⁵⁶ That the CTLC did elect Bowling for a period as an organizer and that the Red Federation extended his services for a further eight weeks caused a great deal of

52. McCP/D3., 28 February 1911.

53. McCP., folder 4, McCullough to W. T. Young, 21 November 1911.

54. L.T., 1 September 1911.

55. McCP/D2., 2 January 1911.

56. P.S., 4 January 1911.

dissension, not unity, in Christchurch.⁵⁷ When McCullough received a letter from W. T. Mills about campaigning for the ILP cause, these local events prompted McCullough to give him an extremely warm welcome.⁵⁸ McCullough promised one pound per week and Tom McBride promised thirty pounds if Mills would stay in Christchurch to organize. However, Mills was contracted by the national executive to lecture and write on behalf of the national Labour movement. McCullough had to be content with giving his one pound a week to Dan Sullivan so he could be the local organizer for a year.

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McCullough and Laracy contributed, then, to the deep divisions among CTLC unionists. In 1911 the CTLC was still the strongest TLC in the country with thirty-four unions affiliated. Thereafter, it collapsed. If McCullough had to isolate the precise moment at which the rot set in, he would have nominated the executive elections in 1911.⁵⁹ If McCullough had to isolate a precise cause for the collapse of the CTLC, he would have nominated Laracy's challenge to the Independent Labourites. Laracy was supported by a vocal faction of the Socialist Party who were more recent delegates to the CTLC and who supported

57. *ibid.*, 5 January 1911 and M.W., 20 January 1911.

58. *Roth Collection*, Ramsay MacDonald to McCullough, 19 October 1910 and W. T. Mills to McCullough, 9 February 1911.

59. *CTLC Minute Book*, 8 July 1911.

an industrial strategy.⁶⁰ In the 1911 executive elections, ballot after ballot was taken to decide between Laracy and Sullivan. McCullough was aghast at what he considered to be the disloyalty shown by the Council in even considering Laracy for McCullough believed Laracy's faction "would be pleased to end up the Council on the off chance that a section of them would come into the Miners' Federation".⁶¹

The ILP unionists found their strategy in the CTLC opposed by Lib-Labs also. So much so that they began to abandon the CTLC as an organizing base. Barr and Rusbridge, Lib-Lab leaders, continually obstructed the ILP executive. They went so far as to defy their instructions on how to vote as delegates to the 1909 TLC Conference. They voted against the formation of a labour party in Parliament, a labour paper and a federation of labour. Barr was secretary for the United Building Trades Committee around which an association of local craft unions centred. Unions such as the Canterbury Carpenters' and Joiners' Association stated publicly that unlike the ILP, they were satisfied there was no need to vigorously agitate to raise wages.⁶²

60. The Socialist Party was made up of three factions: founding members including McCullough's friends W. Tasker and E. Chegwin; a group of women prominent in the welfare aid in the city; and a group of militant unionists. The Socialist Party consisted of only about 15 activists so it was forced to concentrate its resources upon its educative role: Scout's afternoons, the Sunday School Classes for children and the speakers' classes. Active members of the Christchurch branch did not eschew politics although they adopted the National Constitution in April 1910 which was explicitly an industrial unionist manifesto. They declined to assist the CTLC in forming the NZLP but delegates were sent to the Municipal Election Committee. Socialist Party Minute Book, 4 April 1910 and 3 October 1911.

61. McCP/D3., 18 August 1912.

62. P.S., 20 July 1911.

The Lib-Labs made it clear they were totally dissatisfied with McCullough as WRAC. McCullough's prominence in the public criticism of the Lib-Labs and his ILP activism angered them.⁶³ When McCullough came to convey to the CTLC the national executive's decision to appoint Dave McLaren as organizer in 1910, for instance, Barr abused him and demanded a time limit be put on McCullough's remarks.⁶⁴ Barr demanded that if McCullough wanted to wage war against the Government on behalf of the Labour Party and the NZFOL it would be more honest if he resigned as WRAC. This lobby supported Robert Slater, President of the NZLP in the 1910 WRAC elections. They alleged that a large number of unions' executive officers were voting for McCullough without first consulting their membership.⁶⁵ Newspaper notices suggest apathy rather than overt 'manipulation'. One union which Slater cited decided by eleven votes to seven to support McCullough when only eighteen members out of 443 turned up to vote at a special meeting.⁶⁶ McCullough was more concerned with the opinions of the militant faction than the Lib-Labs. He agreed he was less successful than he desired.⁶⁷ He claimed the system was at fault rather than lack of effort or ability on his part. He complained that the labour movement did not always hold its own in the Court and that unions were not united in working towards

- 63. L.T., 15 and 22 November 1909 were McCullough's response under the pseudonym 'Old Trades Unionist' to H. G. Ell and J. Barr's articles, *ibid.* 30 October, 6 and 30 November 1909.
- 64. CTLC Minute Book, 5 February 1910.
- 65. McCP., folder 4, R. Slater to McCullough, 5 December 1910 and McCullough to R. Slater 3 November 1910.
- 66. Dunedin Star, 2 December 1910.
- 67. McCP., folder 4, McCullough's circular to all unions November 1910.

legislative reform of the system. He warned that it was unwise to be continually dissenting from decisions. In the event, McCullough had little to fear as he was elected by 668 votes to 133. The election result clearly shows that McCullough was generally popular with arbitrationist unions.

McCullough had less in common with Barr and moderate craft unionists than he had with Laracy and the Shearers' Union which had joined the Red Federation. The division between McCullough and Laracy was one of strategy and not philosophy. It began over the relative lack of political success for the ILP in the 1908 elections. Although Laracy and McCullough had a common background and common political objectives, their frustration at lack of success resulted in their joining rival organizations. While aiming for the same goals of immediate political success for labour and immediate concessions to unionists in an economic recession, they followed separate strategies. The divisions between McCullough and Laracy have been subsumed, however, in the arbitration division: the labour movement has been decisively divided into supporters and opponents of the Arbitration Court.⁶⁸ McCullough and Laracy disagreed over a number of issues which had important repercussions for the Christchurch labour movement, the more so because they were wooing support from the same gallery. However, they were not divided over the principle of arbitration.

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68. Irvine, F. M. J., 'The revolt of the Militant Unions: A survey of the trade union revolt against the arbitration system in New Zealand between 1906 and 1913 with particular reference to the part played by the Federation of Labour', unpublished M.A. thesis, University of New Zealand (Auckland), 1937, is a prototype.

McCullough envisaged arbitration promoting a system of organization where individual unions would federate nationally and so benefit from their united strength in industrial negotiation. The weaker unions which had most to gain from federation made little headway. Indeed, McCullough noted with some irony that it was the economically more powerful unions which made progress towards federation and won concessions from their employers. Support for federation was a tricky stand to adopt because some employers also favoured federation.⁶⁹ From the employers' point of view, a multiplicity of unions operating in the same workplace created administrative difficulties. Moreover, they believed that federation at the industry level would make it easier to keep wage rates and conditions of employment in an industry in line. To McCullough, such a scheme of strong autonomous non-aligned unions was a danger to the interests of workers and was to be staunchly resisted. He feared that the end result could only be a form of company unionism.

McCullough also warned against the sectional movement.⁷⁰ The ASRS, for example, had been reorganized in 1908. Joe Mack, the "Progressivist" candidate had been elected General Secretary. However, deep divisions remained despite the reorganization. The Locomotive Association, a strong group of workers with employer support, broke up the ASRS in 1910. The Association claimed a separate union of locomotive men in Australia had resulted in better wages and conditions. Millar, Minister of Railways, accepted the assurances that the new

69. CEA Annual Report 1911, p.9.

70. L.T., 31 December 1910, signed by Bob Whiting but it was written by McCullough.

union would not strike and allowed it to secede from the ASRS.^{71.} McCullough considered the Minister's action amounted to "legalizing renegades seeking to destroy one of the most powerful worker organizations". In consequence, McCullough worked hard to get the ASRS into the NZFOL. McCullough refused to stand for Parliament on behalf of the railwaymen himself but he convinced Joe Mack that he should stand as the Labour candidate for the seat of Parnell and fight his employer from a seat in Parliament.^{72.}

In the event, federation within the arbitration system remained a difficult proposition. McCullough sympathised with the problems that arbitration federations experienced with the Court in trying to register. Unions like Laracy's Shearers' Union mounted a concerted attempt to realise three objectives from the Court: to register the Shearers' Federation under the IC and A Act; to establish the one pound per hundred sheep rate and to obtain an award for shed hands.^{73.} The shearers maintained their campaign through long Conciliation and Arbitration Court hearings and a Royal Commission. Their case was also debated in Parliament. On balance the shearers had limited success. The Court refused to accept the registration of a federation of unions claiming to cover all eight industrial agreements. After a protracted Court case they won their one pound per hundred sheep. Their objective to win an award

71. New Zealand Railway Review, 27 August 1909, 14 January and 11 February 1910.

72. McCP Outward Letter Book, McCullough to Joe Mack, 31 July 1909.

73. Laracy, E., and H., "Mick Laracy, Shearer and Unionist in Australia and New Zealand", Labour History, 38, May 1980, pp.45-48.

for the shed hands was even more protracted. Scott opposed an award for shed hands vigorously for fear, as he confided to McCullough, of making every member of the Sheepowners' Federation his enemy for life if he agreed to the union's demand. The Judge was of the opinion that no new groups of workers should be included in the Act.⁷⁴ 'The Court' declined to make an award officially on a technicality.

After this sort of treatment at the hands of the Court, McCullough found common cause with the shearers in an attack on Judge Sim. He joined their public outrage at the employers' tactics. For instance, he devoted his first article in Ettie Rout's Maoriland Worker in September 1910 to criticizing Acland, the CEA and the "Canterbury Wool Kings".⁷⁵ While all the other Farmers' Unions had conceded one pound per week to the shearers, the Canterbury employers had held out. In the shedhands' case the sheepowners were not prepared to meet informally in a conference or to negotiate with the Shearers' Association on wages and conditions for shedhands. Led by Acland they readily sought a dominion award from the Judge of the Arbitration Court in whom, McCullough lamented, they had unbounded confidence.

Despite McCullough's rhetoric, the employers did not have total confidence in Sim. However, they preferred Sim's judgements to the "socialistic" industrial legislation passed by Parliament. When Sim complained that the Legislature was interfering in his jurisdiction, for instance, by reducing working hours through the Shops and Offices Act, the employers

74. McCP/D2., 25 November 1910.

75. M.W., 1/1, September 1910, p.7.

supported him. They protested that the Government had no right to interfere without first hearing all the evidence that Sim had considered in reaching his decisions.⁷⁶ Sim was convinced political unionism threatened industrial relations. He simply refused to make an award for hotel waiters and staff of private hotels while the union attempted, at the same time, to get Parliament to pass reforming legislation.⁷⁷ Employers believed, moreover, that Conciliation Councils were conceding matters such as the prohibition of subcontracting that the Judge would never concede.

After 1910 Sim had begun altering clauses in agreements that had been made in the "interests of uniformity". Scott prompted Sim in this crusade. Scott scrutinized every agreement that came before the Court to be made into an award to ensure that it was a "proper agreement" and not just the Conciliation Commissioner's recommendations.⁷⁸ Conciliation Commissioners were told rudely that there was no room for originality in machinery clauses.⁷⁹ The Courts' principles of agreement, custom and precedence were put to one side as Sim struck out clauses agreed to by parties in negotiation because they were "improper". Sim told his Court that a company, for instance, could not have agreed "voluntarily" to fix one shilling three pence an hour for unskilled labour which was above the standard rate.⁸⁰ He would not treat

76. OEA Minute Book, 30 November 1909.

77. McCP/D2., 1 April 1910, and BOA, vol.12, 1911 pp.632-33.

78. OEA Outward Letter Book, W. Scott to H. Broadhead, 12 October 1909.

79. BOA, vol.12, 1911, pp.82-83, Canterbury Bricklayers' Award.

80. ibid. vol.13, 1912, p.904, Gisborne Freezing Workers' Award.

such agreements as the basis for other awards. Moreover, Sim had a policy that unless McCullough and Scott could reach agreement on any matter submitted to Court, he would ignore negotiations and simply renew the old award. By this stage even Scott had become upset, McCullough noted, when he was thanked by unions for making concessions:

... Scott had a bit of a tiff - the long threatened tiff - Scott told him that if he persisted in his proposal to compel him and I to agree that he would stand firm and pull the whole thing down. Judge advised him to do so - He would be pleased ... He said he was tired of the whole damned thing. [He] Didn't see why the H--l he should worry and listen to the damned wrangles.(81).

McCullough agreed with Laracy's and the CTLC's criticism of Judge Sim. The CTLC protested to the Minister of Labour about Sim's treatment of Laracy at the Shearers' Union hearings. The CTLC claimed that Sim's rudeness on these occasions marked a turning point. Previously, delegates had been subjected to sneers and insults because of their inability to present a case to Sim's satisfaction. They were now being grossly insulted.⁸². The general union reaction to the Judge's remarks to Laracy was that they were childish, querulous and biased:

Here we have a man who is paid somewhere about £2000 a year and a good sized pension when he retires - who holds in his hands the destiny of the Dominion workers - telling us it is useless to come before him - the great and mighty I AM - because he has laid down some miserable precedent at Gisborne ... of which no person in the country knows.(83).

81. McCP/D4., 19 September 1912.

82. CTLC Minute Book, 23 July 1910 and CTLC Outward Letter Book, 1 August 1910.

83. Weekly Herald, 23 July 1910. A clause Sim frequently inserted in awards was that the union had failed to make out a case for any change in the existing award. No attempt was made by a union to bring the case within the rules laid down by the Court in the Gisborne Painters' Award, BOA, vol.10, 1909, p.186.

McCullough began to make representations to ministers calling on them to quietly remove Sim. It was an administrative mistake to allow Sim to remain Judge of the Court for six years. After 1910 he had begun to resent his position. To some extent it was a matter of status. He wished to be appointed a permanent Supreme Court Judge rather than doing Supreme Court work part-time. In what was a stormy period in industrial relations the Judge of the Arbitration Court complained of having lost interest in the Arbitration Court. He complained to McCullough that he was tired of listening to the "same old wheeze".⁸⁴

McCullough did not support Laracy's campaign against Sim, however. Laracy wanted to be committed for contempt of Court by Judge Sim. He perhaps might have been had McCullough not warned Sim and got him to agree that "unless Mick was outrageously offensive he would take no notice of him".⁸⁵ Instead, McCullough did his best to diffuse the frequent clashes between advocates and Sim in Court. Rout and Laracy demanded that McCullough make dramatic speeches of protest from the bench. McCullough refused; he had not completely given up on Sim. Even the employers were convinced that Sim was "not too strong" by conceding preference to any union which asked for it. Holt has resurrected Sim's reputation on the grounds that he gave preference to unions in face of employer opposition. Certainly, unions did not get a better deal than the "Court's preference" under Sim until 1935 and the institution of compulsory

84. McCP/D3., 19 September 1912.

85. ibid., 6 March 1911.

preference.⁸⁶ And, as Holt suggests, preference was McCullough's major short-term goal. Of course, more often than not, as in the case of the tailoresses, who only had preference of employment after serving an eight year apprenticeship, if McCullough wanted an award he had to accept less than his objective of unqualified preference.⁸⁷ It was McCullough's view that qualified preference from Judge Sim was better than nothing.

McCullough felt he walked on a tight-rope between criticizing the Court and bringing the Court down. He was convinced that the Judge had to be removed and that the employers' tactics had to be rendered ineffective. But there were limits to his open criticism. Compared with a dozen dissents which McCullough made in his first two years as WRAC, he only dissented from five decisions in the next four years and only over the continued exemption of rural workers, public corporation employees and women and the use of suspensions of awards to punish striking unions.⁸⁸ McCullough openly informed many secretaries of skilled unions that they would only win concessions if the employers were willing to concede them. Concessions were more likely if the workers concerned were on the borderline of a living wage or if the union was militant. The simple fact was that few unions could expect much in the way of improvements from the Judge:

- 86. Holt, J., 'The Development of the Arbitration System in New Zealand', unpublished manuscript, 1983, p.4 and pp.18-19. Walsh, Pat, 'Union membership policy in New Zealand: 1894-1912' in Voluntary Unionism, edited by Peter Brosnan, Wellington, 1983, pp.22-23.
- 87. CEA Annual Report 1911, pp.22-23, for an analysis of the different preference clauses up to 1911.
- 88. BOA, vol.11, 1910, p.771; vol.12, 1911, p.515; *ibid.*, p. 633.

The fact must be emphasized that if you resorted to other methods of securing an increase than the lawful method of arbitration, viz., strike, you would have little difficulty at the present time of securing increased rates.(89).

McCullough also warned unions contemplating deregistration that by contracting themselves out of the Arbitration Act, they were effectively dividing the working class strength in the Court and leaving themselves exposed if times less propitious for militancy arrived. Moreover, McCullough was certain the militants would not get the united union support they needed to institute an alternative to the Court:

If you don't think it possible to induce them to seize and "hold" the instruments of production you will have to be prepared to use some argument why they should get improved wages and conditions. I know how difficult a matter this is as well as any man about in New Zealand.(90).

McCullough found it difficult to get support for his ILP cause when hard won political success did not seem to improve matters. Tommy Taylor was elected mayor of Christchurch with five other labour representatives on the Municipal Election Committee ticket in 1911. They were a powerful symbol although they had little power since they did not constitute a majority on the Council. The labour councillors were committed to union objectives and lobbied for negotiations to commence with municipal employees.⁹¹ However, not all employers were directly accountable through elections to boards of management in the way that local bodies were politically accountable.

89. McCP Outward Letter Book, McCullough to G. McDougall, 10 December 1913.

90. ibid., McCullough to R. Breen, 10 October 1911.

91. L.T., 30 May 1911 and 2 April 1912.

The dilemma for unionists like McCullough, Hunter and Sullivan was, then, to reconcile political and industrial unionism:

The detailed work of a City Council the work of paving and draining and adding a shilling to the wages Bill of employees may seem dull and uninspiring to the prophet or evangelical whose eyes are filled with the light of Beatific vision. It may seem a lamentable falling off that a man should begin by demanding socialism and end by insisting that a street be properly paved.(92).

McCullough lived in two worlds of industrial and political socialism. His problem was to justify to his militant critics his position on the Court and his lack of support for industrial strike action. There was a backlash at the attempt to form a broad-based political campaign featuring unionists. The unity that the Council campaign gave to the trade union effort in Christchurch dissipated after April 1911. Union divisions were an important factor in the narrow defeat of Bob Whiting, CTLC President who topped the Spreydon local body election, and Hiram Hunter, City Council member for Sydenham, in the General Election of November 1911. Socialist Party members, Cooke and Howard, stood against them and drew away a decisive percentage of the Labour vote from Whiting and Hunter.⁹³. The Socialist Party claimed that the ILP had abandoned socialism. Reaffirmation of a socialist position McCullough was informed, could only be made by joining the Red Federation.

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92. *ibid.*, 20 July 1912, Sullivan's column.

93. Gustafson, Barry, Labour's Path to Political Independence, Auckland, 1980, p.40.

In terms of ultimate commitment to thorough going social transformation McCullough was as revolutionary as Red Federation militants like Semple. Either could have written the following passage which McCullough penned:

There is a continual struggle going on between the wage earners the wealth creator and the person who exploits him. This will continue to go on in a more or less exaggerated form until Labour has emancipated itself from the thralldom of capitalism and production is carried on for use, instead of as present for profit. That will be socialism or at least that position of socialism which I think is absolutely essential and attainable within our lifetime.(94).

Both were "new unionists". That is, unionists who sought property rights for the working class rather than property rights for the skilled workman. They placed a greater emphasis on practical activity, agitation and closer organization than did the traditional craft unionists.⁹⁵ New unionism was not a theory, it was a practice:

It is mark the word a practice not a theory ... the result of much experimenting, and is shaped much more by actual conditions than by any individual particular. These practical experiments haven't followed a straight line by any means, the movement is characterized by much incoherence, it brims with inconsistency. And it is thus because it is not the result of actions performed in accordance with certain dogmas but because it is a product of life modified from day to day.(96).

Historians have spent some time splitting hairs over deciding whether the Red Fed leaders were Haywood or Debs oriented industrial militants. Significantly, contemporaries such as McCullough saw themselves as fellow "new unionists".

94. McCP Outward Letter Book, McCullough to T. Canham, 2 July 1911.

95. Palmer, Bryan, A Culture in Conflict. Skilled Workers and Industrial Capitalism in Hamilton Ontario 1860-1914, Montreal, 1979, Chapter 7, pp.199-233.

96. Tridon, Andre, The New Unionism, New York, 1913, p.17.

In 1890 McCullough had been militantly opposed to the employers' open shop drive and he had been prepared to use the sympathetic strike as a weapon in the struggle for control with employers. He pragmatically changed his tactics thereafter. As the abandonment of militancy after 1913 indicates, in terms of their ability to adjust their tactics to the needs of their constituents, there was little difference in the pragmatism of unionists like Semple and McCullough. For years McCullough lived in the two worlds of "the real and the ideal" that the miners and militants were only beginning to find themselves in.⁹⁷.

The division between McCullough and Semple resulted more from a personality clash and different experiences than from a theoretical cleavage. On the strength of a short acquaintance, McCullough decided Semple's aggressiveness was deleterious:

his combativeness if not his earnestness will prevent him being as useful as he should, nay, it is possible it may be as bad as to make him a decided hindrance to progress in the direction of solidarity.(98).

This clash in temperaments was, perhaps, epitomized in Bob Semple taking Jack McCullough, a man who had qualms about shooting rabbits, to a boxing match. McCullough's reaction was to see all 'the devil there is in poor human nature' displayed both by competitors and audience alike. He viewed the miners' pugnaciousness in a similar light.

While the miners' strength and combativeness intimidated

97. O'Farrell, P. J., Harry Holland, Militant Socialist, Canberra, 1964, p.62.

98. McCP/D2., 5 May 1910.

older TLC men like McCullough, the miners felt they were being cold-shouldered by a group of men who had no fight left in them. They had reason to feel they were outsiders as McCullough noted,

My blood has boiled within me as I have listened to the wild and mad denunciation of men in the movement whose honesty and self-sacrifice I have proven again and again. This often by men scarcely in the country.(99).

Not surprisingly, the miners showed little sympathy for New Zealand's industrial history. At the unity meeting McCullough chaired between the Red Federation and the TLC executive in August 1910, for example, Webb had accused the Trades and Labour Council officials of negligence:

We have devoted our whole time to the education of our class. If the Trades Councils would arrange meetings for miles and miles out, 20 or 30 miles out of Christchurch the same way as we have been doing get on old bikes and go round spreading the the truth then they would be doing a great deal towards building up an organization.(100).

Jack McCullough, Jimmy Thorn and Bob Whiting had been on their old bikes interviewing workers in the time-consuming task known as "plough-chasing" as organizers of the FLU before many of the miners' leaders had arrived in New Zealand. Moreover, they were accutely aware of the farmer opposition they had met twenty and thirty miles out of Christchurch.

The lowest point in the relationship between the Red Feds

99. M.W., 21 March 1913.

100. Gustafson, Barry, Labour's Path to Political Independence, p.33. Roth, H., Trade Unions in New Zealand, Wellington, 1973, p.44, suggests that it was not until 1914 that the Red Fed activists began organizing farm labourers as opposed to other industrial workers.

and CTLC politicians was reached in 1912 when the rival federations competed for the support of the same workers. When he was elected unanimously to the Trades and Labour Council's Federation of Labour McCullough was assigned responsibility for the Wood Metal Workers Group. He came out enthusiastically for the Mill's Unity Scheme. The TLC and the NZLP were joined together in one organization, the United Labour Party. All New Zealand was wooed to join in One Big Union. In the battle for the hearts of the union movement McCullough had more success with the largest unions in Canterbury - the ASRS and the Shearers' Union - than did the miners. Webb regularly addressed meetings of the Addington Workshops. The Railway Conference of 1912 was addressed by Ross and Hickey on the policy of the Red Federation and was immediately followed by McCullough and Tregear urging the claims of Unity Scheme.¹⁰¹ The ASRS chose to put the Unity Scheme to the ballot only. Ross complained that the ASRS fears of a strike were nonsensical. The strike was the nub of the debate.

McCullough could not understand what he considered to be the Red Feds' lack of analysis of their opposition. Employers' spokesmen such as Pryor and Scott had made no secret of their intentions to destroy the Federation. As McCullough travelled with the Court he took note of the now enormous quantities of Newcastle coal lying all around New Zealand. He had long expected a showdown and it now seemed imminent:

101. M.W., 4 April 1912.

I know as a matter of fact that the Mine Owners of New Zealand are fully prepared for any emergency that may be forced upon them by the Miners Federation. I shall be surprised if they do not within the next year or 2 force issues with the Miners with a view to weaken their power - This is what happened in NSW. They goaded them into striking for the purpose of weakening their organization. This is being done in America and the law of injunction is being used to destroy the men's unions most effectively.(102).

By June 1912 the New Zealand employers were convinced they were winning against the miners. The OEA resolved not to confer with any organization of workers who were not amenable to the Court and began to prepare Defence Funds for the strikes that they believed would inevitably follow their refusal to negotiate.¹⁰³ Scott advised Pryor, for instance, to allow unions to deregister from the Court without making a fuss, "sit tight and leave them to adopt any course they like".¹⁰⁴ Scott explained the salvation of the employers lay in the internal quarrels of the unions and the fact that the Red Feds could do little to help. They had bitten off more than they could chew with the Waihi and Inangahua troubles. The Federation had financial problems and was losing prestige.

McCullough was more ambivalent in his attitude toward the Red Feds than is usually assumed. Like many other TLC unionists he was alienated by the propaganda of the Maoriland Worker. He took back his advice to the editor of the Weekly Herald not to put poison pen to paper in retaliation.¹⁰⁵ In a counter-attack

102. McCP Outward Letter Book, McCullough to T. Canham, 2 July 1911.

103. OEA Minute Book, 13 April 1912.

104. OEA Outward Letter Book, W. Scott to W. Pryor, 6 June 1912.

105. McCP Outward Letter Book, McCP., folder 4, McCullough to W. T. Young, 21 November 1911.

he protested that the Red Feds in New Zealand were treating Marxist theory as dogma. He was afraid that they had

... discovered a new and infallible method of industrial organization that cannot fail and so enthusiastic are these persons that even failure will not convince them.(106).

McCullough believed in the materialist conception of history. It was a "legitimate and necessary" argument he himself used but he protested that the denouncement of the ethical basis of socialism in the Red Fed propaganda would not win converts:

... to preach exclusively the economic basis is to put it mildly shortsighted and unity, the ideal of universal love and Brotherhood will never be built up upon selfishness.(107).

Sectional and universal strikes were, in McCullough's view, occasionally necessary but socialists had to convince and not coerce the majority of New Zealanders of the virtues of their case.¹⁰⁸.

The officials of the Red Federation were also more ambivalent to political action than is generally assumed. The Red Feds did not generally practice their policy of tearing up agreements with employers which McCullough likened to the ethics of a boa constrictor. Of course, there was considerable argument within the Red Fed ranks over tactics, particularly between officials such as Semple and Fagan. Few knew the internal divisions of the Red Fed executive. As Ted Howard

106. ibid., McCullough to Dominion Executive of the NZFOL, 23 November 1911.

107. McCP., folder 14, notes of speech by McCullough on 'The Moral Aspects of Socialism'.

108. McCP Outward Letter Book, McCullough to J. Hutcheson, 25 November 1911.

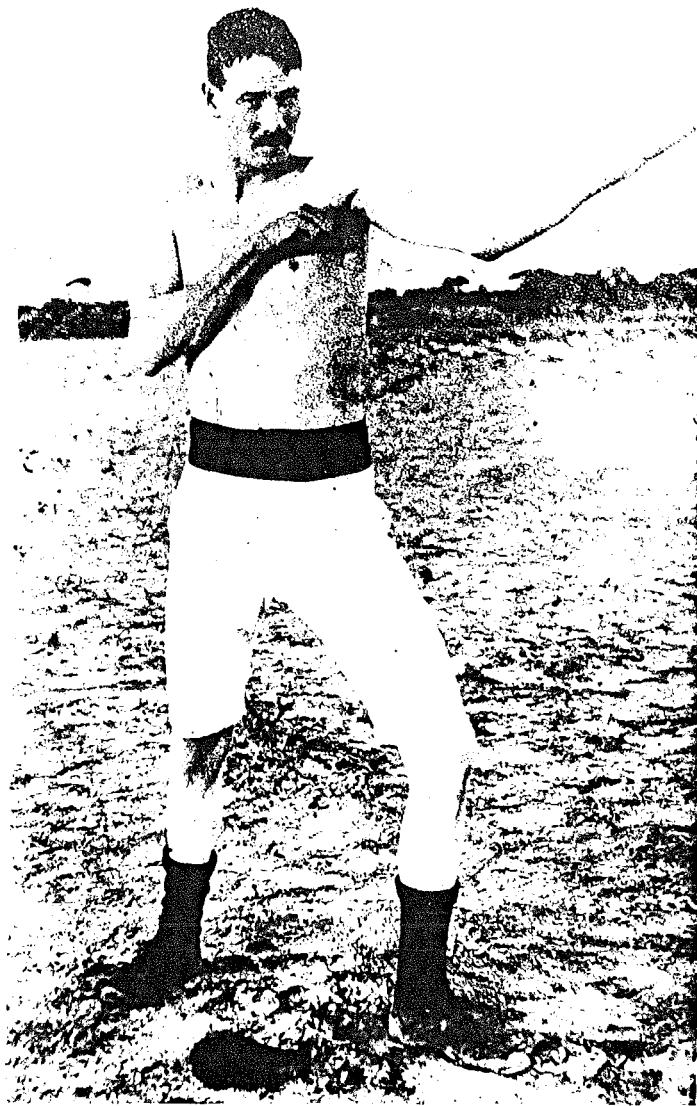
'Bob' Semple

McCullough was intimidated by the pugnaciousness of Red Fed leaders, like Bob Semple. McCullough was also fearful of the consequences for the entire organized labour movement of a clash with employers: "organized capital as we have it in this country can beat us 99 out of every 100 times we challenge them in a trial of strength ... We must not let our indignation so overcome us as to either throw down the gage of battle to our enemy or accept his until our forces are so equipped as to give us a chance in the fight." (McCP Outward Letter Book, McCullough to Ted Canham, 2 July 1911.)

Unity congress protest at Ripa Island detainees

1913

Bob Semple, Tom Paul and John Rigg among the leading delegates from the Unity Congress 1913. The rapprochement of new unionists effected by anti-militarism and anti-blacklegism was ratified by the Unity Conferences in January and July 1913.



explained later:

We quarelled; we fought for hours and hours, but when we came forth from that executive meeting we stood as one man, abiding loyally by the will of the majority. That is why the FOL did things.(109).

There was a discrepancy between the official propaganda of the Maoriland Worker which reached its crescendo in Pat Hickey's "no compromise" articles and the settlements the "Red Feds" made with employers.¹¹⁰. In fact, the militant miners were resorting to the fullest extent to the use of the collective agreements. The so-called revolutionaries made practical demands for higher wages, shorter hours of work and improved job conditions.¹¹¹.

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Clearly, the Red Feds and McCullough differed over the issue of arbitration. Important though this issue was, however, a rapprochement between new unionists began in 1912 over other issues. It was a unity which drew upon the collective experience of such diverse figures as Jack McCullough and Miners' Federation leader, Bob Semple. This union realignment of two generations of new unionists was one of the most significant events in twentieth century New Zealand labour history. Indeed, in the light of this realignment, the division of unionists into moderate craft unionists who supported

109. M.W., 22 December 1915.

110. ibid., 5 May 1911, Hickey's classic position.

111. Roth, H., Trade Unions in New Zealand, pp.31-32, for example, in January 1912 the Red Feds successfully negotiated the first Dominion award for the Transport Workers' Branch of the Federation.

arbitration and militant new unionists who opposed arbitration is called into question. As McCullough discovered, some of the most significant divisions in the union movement occurred within the two arbitrarily divided camps.

McCullough abandoned his attempts to form a labour party in Parliament with the support of "advanced" Liberals after 1912 to the applause of the Socialist Party. Indeed, the anti-militarist movement which was gaining momentum brought McCullough and Socialist Party members together on the same soapbox again. Symbolically, the Passive Resisters' Union had branches at the Addington Workshops in Christchurch and at Runanga, home of the Red Feds. A friendship developed between tinkers like McCullough and miners like Semple. At the same time these two issues contributed to the estrangement between McCullough and his old friends, like Dave McLaren and Tom Paul. McCullough was not unmoved by the challenge to the Red Federation. He joined the Red Feds in condemning arbitration unions of fifteen or more 'blacklegs' who defied the official striking unions to form new unions registered under the IC and A Act. This 'scab unionism' helped defeat striking workers at Waihi. The rapprochement of new unionists effected by anti-militarism and anti-blacklegism was ratified by the Unity Conferences in January and July 1913. The collapse of the General Strike and the Reform Government's introduction of punitive legislation (the Labour Disputes Investigation Act 1913) forced the Red Feds back to the Court. At that stage they were far from unwilling to vote for McCullough as WRAC.

The death of Tommy Taylor in August 1911 upset McCullough's plans to create a Parliamentary Labour Party by converting "advanced" Liberal Members of Parliament to the ILP.¹¹² At first, McCullough supported Taylor's nominee, Rev. L. M. Isitt, a radical prohibitionist. He even discouraged his own brother, Jim McCullough, from standing in the Christchurch North electorate when he was mentioned as a rival candidate to Isitt.¹¹³ Isitt proved to be more Liberal, however, than Independent.¹¹⁴ To be a "friend of Labour" rather than an Independent Labour candidate was beginning to be insufficient for the working class constituencies. Labour's successful municipal campaigns were leaving independents out in the cold. It came as no surprise to Christchurch ILP unionists when Harry Ell and George Laurenson joined the Liberal cabinet in 1912. However, when Ell and Laurenson almost convinced Bill Veitch to take a position in the Liberal Government, McCullough was shocked and embarrassed.¹¹⁵ McCullough had been mainly responsible for Veitch having secured the Labour Party's nomination. Veitch was president of the ASRS and, like A. W. Hogg, he now joined the group of Liberal presidents of trade unions who sympathized with but would not join the Labour Party.¹¹⁶ McCullough had hoped Labour would distinguish itself from Liberalism by converting the "advanced Liberals" to Labour's cause particularly at a time when the Liberal Party

112. McCP/D3., 1 August 1911.

113. ibid.

114. McCP/D3., 30 July 1912.

115. ibid., 5 March 1912.

116. For instance, Harry Ell was president of the Tailors' Union and T. E. Taylor was spokesman for CGLU.

was struggling in elections. Liberals like Ell, Laurenson and Veitch provided another solution by preparing the electorate for radical and Labour representation and then either dying or being reincluded into mainstream Liberalism.¹¹⁷.

When McCullough abandoned the attempt to have a Parliamentary Labour Party hold the balance of power in 1912, accusations that he was a Lib-Lab organizer diminished. On the issue of liberalism McCullough was seen to be clearly in agreement with the militant miners. This was epitomized in their common protests against Joseph Ward's being created a baronet in 1911.¹¹⁸. McCullough protested that his democratic ideals and hopes for the destiny of "God's own country" had been rudely shattered by this single event:

The Hon. W. P. Reeves' name is still held in respect by very many sturdy democrats because he steadfastly refused the doubtful honour of an imperial title. The democracy of those accepting a title was quite rightly mistrusted.(119).

Ward was a dangerous imperialist in McCullough's and the miners' eyes, one who was prepared to bargain New Zealand's independence for personal honours:

The sycophant who imposed the unBritish compulsory military service on our boys will doubtless think himself sufficiently rewarded in having secured his baronetcy and entry into the hereditary aristocracy of Britain.(120).

The momentum of enthusiasm for Imperial defence which had

117. H. G. Ell joined the Liberal Cabinet in 1912, George Laurenson died in November 1913.

118. Richardson, Len, The Denniston Miners Union: A Centennial History, Wellington, 1984, p.37.

119. Repeal, July 1913, p.11.

120. ibid.

led to the Ward Government's offer of a battleship to the British Government in 1909 at the time of the Naval Crisis was not lost. It was sustained by a defence lobby led by the Naval League and the Farmers' Union.¹²¹ It was manifest in the visit of Kitchener to New Zealand and Ward's proposal for an Imperial Parliament and an Imperial Conference of Defence. The anti-defence movement grew as legislation was introduced extending the cadet system of military draft in schools and voluntary territorial training to compulsory military training and punishment for "shirkers" for non-compliance with the Defence Act.

McCullough supported Atkinson and the Fabian Society's organization of Christchurch pacifists. The movement went beyond the small group of "pernicious socialists" who had protested against the Boer War.¹²² McCullough himself was elected as a member of the National Peace Council which was formed in 1911 to oppose the introduction of compulsory military conscription. This organization was supported by the Christchurch Socialist Party.¹²³ McCullough was a regular chairman of meetings organized by Reverend Charles Mackie in conjunction with Louis Christie and the Anti-Military League.¹²⁴ Two of his sons belonged to the Passive Resisters' Union (PRU). The PRU was an organization of 'boys' whose membership was based on a group of Addington Railway Workshops. The PRU's weekends of protest

121. Duncan, R. J., 'New Zealand Farmers' Union as a political pressure group, 1900-1912', unpublished M.A. Thesis, Victoria University of Wellington, 1965, pp.73-77.

122. Weitzel, R. L., 'Pacifists and Anti-militarists in New Zealand 1909-1914', NZJH, 7/2, October 1973, pp.128-147.

123. Socialist Minute Book, 4 August 1912.

124. Mackie Papers, 252, C. Mackie to McCullough, 7 May 1913.

against military training began with a Friday meeting at Socialist Hall and ended with addresses on Sunday in Cathedral Square. The various campaigns in Christchurch, the city of passive resisters, culminated in February 1913. The gaoling of boys for failing to pay fines for street-speaking and refusing personal service reached a turning point with the gaoling of the president of the PRU, Reg Williams. Williams had refused to pay a fine for creating an obstruction of traffic by addressing a meeting from the steps of the Clock Tower. He wrote accounts of his time in Lyttelton Gaol and later at the fort on Ripa Island. The boys' treatment for refusing to drill, to learn semaphore, to clean guns and to shift coal resulted in a short hunger strike and a great deal of public indignation. The vehicle used to propagate the boys' "persecution" was the journal Repeal edited by McCullough's son, Frank.^{125.}

The McCulloughs' was a 'passive' household. Jack's brother, city councillor Jim McCullough, was a regular speaker at the Clock-Tower meetings along with Fred Cooke, Ted Howard, Paddy Webb and other socialist leaders. His son Frank had been charged with distributing peace dodgers and refusing to train. He was dismissed from his job at a firm he had served a six-year apprenticeship with because his employers would have no truck with an employee who was involved with the law. Later Frank was exempted from compulsory military training as a conscientious objector. McCullough and a number of Anti-militarists pleaded on Frank's behalf:

125. Repeal, Official Organ of the Passive Resisters' Union, 1, 31 March 1913, p.1.

I have striven to inculcate in the minds of my five children a reverence for human life and a desire to organize society on a basis of Brotherhood and equality. I have denounced War Militarism as barbarous, inhuman and a crime against society. Having done this for so many years and having taught my family that it would be wicked to train and cruel to use any weapon against my fellow man I cannot hold it to be wrong for my sons to believe and act upon this.(126).

The gaoling of their son drew Maggie McCullough into the political foray for the first and only time. Jack and Maggie had not always seen eye to eye on the issue of militarism. She would go off to the Empire Day procession while McCullough would visit workmen's houses in Sydenham. However, in 1913, Maggie donated more than her husband to the various funds and joined the groups which waited outside the gaols to boost the morale of the boys in transit and on release. Indeed a great many women were drawn into the campaign on both sides of the debate.¹²⁷.

The McCullough's home became the forwarding address for a strike-fund to raise strike pay for the Runanga coal-miners who were members of the PRU and out on strike to prevent the garnishee which was used by the Government with the consent of employers to enforce payment of fines. Pacifist

126. McCP., folder 6, McCullough to T. A. B. Bailey, Stipendary Magistrate, 30 January 1913.

127. The Women's Division of the Naval League and the Christchurch Women's Social and Political Association which was closely aligned to the Chamber of Commerce fronted up against the Housewives' Union whose executive members, Elizabeth McCombs, Elizabeth Taylor and Ada Wells held positions on the Peace Council. Even the Women's Christian Temperance Union protested against the disenfranchisement of convicted passive resisters, L.T., 25 January 1913.

and internationalist socialists were unified for the time being as communities polarized over the issue of military preparedness. It was this issue and the boys' fight which drew political unionists like McCullough and Semple together.

The anti-defence campaign may have brought McCullough closer to the Red Feds but it widened the gulf between him and the section of the ULP led by McLaren and Paul. Neither shared McCullough's enthusiasm for the Unity Scheme. McCullough, Sullivan, Hunter and Young had joined together to promote W. T. Mills' Unity Scheme in Christchurch. McCullough had hoped to bring the old TLC into Mill's Unity Scheme. However, Barr and Rusbridge, Lib-Lab opponents to the scheme, had effectively bound the CTLC to a three-month notice before the rules could be changed to allow the CTLC to join the ULP. Three months of debate widened the division between the factions. Moreover, secessions, particularly from the left, meant the Council was collapsing and glaringly unrepresentative anyway.¹²⁸ Mill's dislike of the methods of the TLCs was surpassed by McCarthy, secretary and treasurer of the ULP. McCullough found himself defending the CTLC's red tape:

They are a registered body and must be careful not to break any of their rules because if they do the enemies in our ranks could use them to their and our disadvantage. (129).

McCullough had gone out of his way to defend his old TLC friends. His refusing the chairmanship of the 1912 ULP Conference in favour of Rigg was an indication of this. He

128. CTLC Minute Book, 29 August and 21 November 1912.

129. McCP Outward Letter Book, McCullough to A. McCarthy, 2 June 1912.

defended Paul and McLaren despite his knowing that they only wanted a 'limited amalgamation' of the union movement:

they would not mix trade unionism principles with those of industrial unionism because they were diametrically opposed.(130).

Laracy and Howard had attended the TLC Conference in 1911, and declared the two union federations were kept apart by bogies and a conference would solve the disunity. If the two federations were serious about One Big Union they would both have to broaden their support. To McCullough's distress, in response, McLaren attempted to get Howard and Laracy expelled on the grounds that they were also members of the Red Federation.¹³¹ McCullough's hope that McLaren would come round faded.

The lack of ULP support for the miners in the Waihi Strike embittered McCullough. He was saddened that his old union federation ideal was dying and with it his old friendships with unionists like McLaren. The use of strikebreakers at Waihi had been extended to their registering as a legal union under the Arbitration Act. In this way they legally secured the only rights to bargain with employers and undermined the official union which was striking. McCullough was appalled at events in Waihi:

Waihi must be in a dreadful state of excitement ... when women can be found as at Waihi to go round with notices on them urging the workers to be true to their class ... (132).

McCullough could not understand the ULP's silence at such developments and he tackled the party's president, Paul:

130. L.T., 18 April 1911.

131. ibid., 22 April 1911.

132. McCP., 20 September 1912.

... don't you think that we as a party should express ourselves strongly in regard to the scandalous treatment being dealt out to the Federationists in Waihi ... Isn't it up to the ULP to express disapproval, if we don't it will be taken that we approve.(133).

Union reluctance to support the striking miners went deeper than a silent leadership; at an OTLC meeting McCullough found that he had contributed a third of the total collection gathered for the widow of the miner killed at Waihi. The Council refused, moreover, to make an official collection.¹³⁴.

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Much has been written about the lessons the Red Feds learnt from Waihi which prompted them to support moves for unity. However, the Red Fed leaders gave a good appearance of being staunchly against the inclusion of the ULP at their industrial conference in January 1913 which was called to discuss future strategy. It was McCullough's old CTLC associates and ILP unionists who were to play a decisive role in the major union realignment in 1913. Hickey correctly attributed responsibility for the invitation to the ULP to attend the Unity Conference:

A resolution moved by Mr H. Hunter of Christchurch, that an invitation be sent to the executive of the ULP to send two representatives to the Conference completely changed the whole of the Labour movement.(135).

Laracy, Sullivan, Hunter and Young supported the admission of

133. McCP Outward Letter Book, McCullough to J. T. Paul, 17 November 1912.

134. McCP/D4., 19 December 1912.

135. Hickey, P. H., "Red" Fed Memoirs, p.61.

Delegates to the Unity Congress 1913

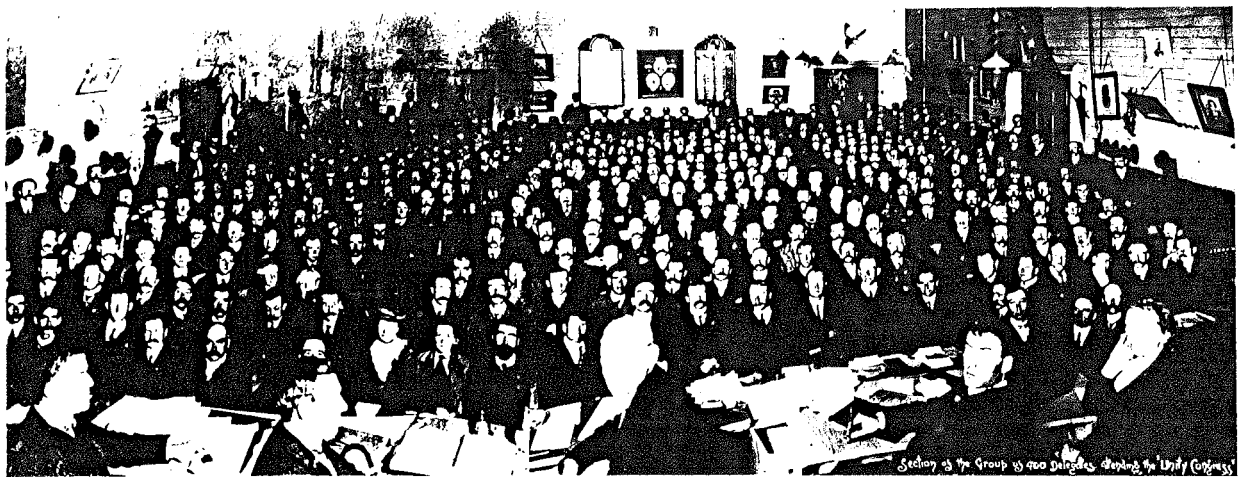
(McCullough sitting next to Mick Laracy and Ted Kennedy, middle section, far right, second row).

"There was a time" J. T. Paul told Parliament in 1947 "when those who believed in progress had great difficulty in finding a basis of agreement; at times they fought like kilkenney cats - possibly a little worse, because the fighters were humans. About 1910 there were two rival federations in the industrial field ..."

(N.Z.P.D., vol.227, 1947, p.120). McCullough supported the amalgamation of these two organizations, as he told participants at the abortive Unity Congress in 1910 "I do ask you all, as friends, when you fight, do not make it a personal fight; do not magnify what an individual says into something an organization says because the organization might be nothing of the sort. If you bear that in mind, I believe that the real earnestness of both organizations will ultimately draw them together". (Paul Papers, 18, Report of the Proceedings of the Unity Conference, 1-10 July 1913, typescript by E. Rout). Unity was three years in the making.

Delegates to the SDP Conference 1914

(McCullough, representing the Fabian Society, is in the fourth row back, three from left).



the ULP while Ross, Semple and Hickey were against it. The resolution was passed by forty votes to thirty. Laracy's plan for Canterbury new unionists to swamp the 'miners' Federation' and reach a compromise had become a reality.

The issue of arbitration was never solved. Other issues such as unity assumed a greater importance. Thus at the July Conference the resolution to strike out the IWW preamble opened old sores. McCullough, representing the Fabian Society, was blamed:

Poor Bob Semple, Holland and Fraser accused me of being responsible for the defeat and was [sic] very wild because they declared I had introduced the question of arbitration vs strike policy.(136).

On the other hand, the Conference decided unanimously to march to Parliament to demand the release of the boys held on Ripa Island. 400 delegates waited while McCullough, Howard, Mills and Scott-Bennett laid their case to Massey, now Prime Minister, and Allen, Minister of Defence and Education.

It came as no surprise to McCullough that a conservative group of the ULP walked out of the July Unity Conference. McLaren and Paul refused to join with the Red Feds. While McCullough was writing articles on unity in the Maoriland Worker, McLaren was writing articles for the continuation of the ULP. This resulted in a decisive breach between the old friends. As McCullough found he could no longer defend McLaren to critics like McCarthy, national secretary of the ULP:

136. McCP/D3., 5 July 1913.

I take back all I said with regard to being rough on McLaren ... he deserved all you gave him. You have not hit any of us as hard as we deserved to be hit The sort of tripe dished up by Mac is the stuff that has convinced so many workers that the most effective way to destroy the usefulness of a labour man is to put him in Parliament ... Had believed the revolutionaries would stuff up July now I am beginning to believe our trouble will come from reactionaries. McLaren wants a few days back on the wharf to remind him what its like and of what he once believed.(137).

After this series of articles, McCarthy tried to push McLaren out of the ULP executive. Paul decided he could no longer work with McCarthy. Arguments over the ULP's financial liability to Mills exacerbated the divisions. The ULP had a messy end.¹³⁸.

The fate of the ULP did not matter in Christchurch. The decision of the July Unity Congress to form a political organization, the SDP, and a separate industrial organization, the UFL, had been largely effected in Christchurch months before. Carey futilely warned his Christchurch political friends that they should be careful about joining the SDP for they would be riding inside a "syndicalist tiger".¹³⁹. The Christchurch SDP was strong and confident. The peace campaign and the enduring Municipal Representation Committee united Christchurch labour. McCullough contributed to SDP's first official representation in Canterbury in the municipal elections held in May 1913.¹⁴⁰. He was campaign organizer for the Lower

137. McCarthy Papers, McCullough to A. McCarthy, 1 June 1913.

138. Roth, H., 'Buying a Labour Party: Fowlds, Mills and the U.L.P.', Political Science, 20/1, July 1968, pp.27-39.

139. P.S., 2 July 1913.

140. McCP/D3., 6 May 1913.

Riccarton branch to which he encouraged a contingent of Addington railwaymen to join and which won three seats. By contrast, the industrial organization in Canterbury had never been weaker. Hiram Hunter, president of the North Canterbury Representation Committee, waited upon the CTLC for the purpose of setting up a District Council under the SDP in September 1913.¹⁴¹ He had to wait until 1914 for the Council to make a decision. The CTLC was now but a shadow of its former self. Mick Laracy and Ted Kennedy were among those who blamed the mixing of political and industrial unionism for this decline. They were not in a hurry to repeat the dissension.

The 'General' Strike', which was restricted to the Lyttelton wharf, saw McCombs, Thorn, Sullivan and Howard join together as members of the Christchurch Strike Committee. It was the prelude to their co-operation in McCombs' success in the by-election held at the death of George Laurenson in November 1913. McCullough joined the platform of unionists celebrating McCombs' victory in Victoria Square.¹⁴² McCullough was a little subdued. It had been his objective that Labour learn to fight elections. He wholeheartedly supported McCombs' arbitration planks; statutory minimum wage, statutory preference, statutory Saturday half-holiday, the co-ordination of the Trade Union and IC and A Acts, a permanent Cost of Living Committee, the creation of bogus unions to be made illegal, and to make dominion awards a rule.¹⁴³ He despaired for the time it would take to implement even these moderate reforms.

141. CTLC Minute Book, 11 September 1913.

142. L.T., 17 December 1913.

143. McCombs Papers, J. McCombs to the Electors of Lyttelton, 16 December 1913.

McCullough realized, moreover, that another term on the Court would mean his inclination to do organizing and education work would be lost:

I am certainly not as energetic as I used to be and the only explanation is that my present job has unfitted me for the hard strenuous work entailed upon an agitator or reformer or it may be that it is old age that has something to do with it.(144).

He left the political organization to a younger generation.

Significantly, at the end of 1913, McCullough entertained Semple at home for tea. 1913 was a turning point in other important ways. The collapse of the General Strike resulted in a new industrial law whose punitive provisions brought the militant unions back to the Court. McCullough was re-elected as WRAC, trouncing Arthur Rosser by 912 to 314 votes. Red Fed members contested this election. Ted Howard and James Young did not consider standing against McCullough but Carey was narrowly elected deputy WRAC just ahead of Howard and Young. With the Red Feds not yet registered and new unions formed by special constables, Howard wondered why Carey did not get more votes.¹⁴⁵ McCullough had hopes for some achievements in his new term under a new Judge and a new law. He now embarked on a long and extremely busy period during which he was absorbed in his arbitration work. Ironically, at a time when the Red Fed leaders were beginning to enter the political arena, McCullough was forsaking political activism for industrial unionism.

144. McCP/D4., 12 November 1913.

145. Sun, 19 January and 14 February 1914.

CHAPTER FOUR

An Arbitrationist during the war-time epoch, 1914-1921

After 1913, McCullough tried to engineer a union accord on attitudes towards the Arbitration Court. He became pre-occupied with the attempt to maintain wages and working conditions for his union constituents which were threatened by the Great War and the Court's response to it. Throughout 1914 and 1915, the Court was reluctant to systematically compensate workers for the increased cost of living. Thereafter, the expedient of a temporary war bonus was resorted to. Finally to cover the transition from war to peace between 1918 and 1923, the Court was empowered to award general wage movements based on the cost of living. The labour movement was by no means united in its attitudes to these shifts in the Court's practices and McCullough was faced with the difficult task of trying to co-ordinate union responses. Ironically, McCullough's greatest success in engineering a union accord occurred in September 1921 when he resigned his position in protest at a breach of a year-long stabilization of wages which he had agreed to on behalf of the union movement in May 1921. He was unanimously re-elected as WRAC by a seemingly united union movement.

Rather than a union accord, however, McCullough's achievement was that he managed to retain the support of the majority of unions while being associated with an Arbitration Court which gave the union movement little satisfaction. This balancing act took its toll. McCullough had to forsake his socialist objectives and concentrate on the attempt to maintain

workers' conditions. In the cause of unity, McCullough even forsook his pacifist activism. Unity, however, remained elusive. Moreover, he alone had had to shoulder the responsibility for making compromises with the employers in the Arbitration Court. McCullough willingly resigned a second time at the end of 1921 after the union movement had given him a vote of confidence by unanimously re-electing him WRAC. Accepting reductions on behalf of the union movement after September 1921 was a responsibility McCullough refused to shoulder.

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McCullough had attributed a great deal of union discontent with the Arbitration Court in the period immediately preceeding 1914 to Judge Sim. Consequently, he expected a better response from Judge Stringer who assumed his position at the beginning of 1914. The new Judge made a good impression on McCullough; he even offered to dispense with the wearing of his wig and gown when hearing industrial matters. At the very least, McCullough believed his public manner, "suave, kind and considerate of the feelings of those coming before him" would be an improvement: "I think Mr Scott and I will be able to make a success of him if we can have the assurance of the various clerks of Awards that they will give us a chance. Now then" McCullough informed trade union advocates, "it is up to you!!".¹ However, McCullough's optimism was short-lived. Judge Stringer refused to ignore Sim's precedents, indeed, he

1. McCP Outward Letter Book, McCullough to Jim Roberts, 31 January 1914.

considered Sim had been too lenient toward unions. The clerks of awards, who were the Judges' administrators, and in particular the registrar of awards, ensured that the provisions of the IC and A Act were strictly adhered to. The Court's administration became more consistently severe. Moreover, the Employers' Federation's advocacy in the Court during the war was vigorous. The seemingly halcyon days of a good working camaraderie between Scott and McCullough were not re-established. Unlike the Employers' Federation, the union movement was recovering from the organizational setbacks it had suffered before 1914. Without effective organization, the union movement could not support McCullough as he would have liked.

McCullough became disillusioned with Stringer. Stringer refused to allow an agreement between employers and unions on sanctions against union members in arrears with contributions which might have assisted union organization. Rather, he announced that he would not be bound by agreements between parties which he disagreed with. Stringer had intended to make a reduction in his first award. He did not support classification which gave different classes of workers differential rates instead of a flat rate. However, McCullough, using Sim's proud boast that the Court had never taken anything away from the workers to good effect, prevented a reduction pointing out the significance of such a decision. Stringer refused to allow improvements in preference to unions even on occasions when Scott conceded it to McCullough in committee. Indeed, Stringer declared he did not believe in preference to unionists. He had been among a group of lawyers who had petitioned the

Court of Appeal to prevent the Arbitration Court awarding preference to unions:

The Judge was quite candid and declared that he did not believe in unions as they were conducted and was not prepared to allow the Court to do anything that would be considered as approving or that could be considered an inducement to form one. This to me is only bearing out my previously formed opinion that the workers have nothing to expect from Judge Stringer but hostility.(2).

Stringer quietly amended established customs. If a union struck its preference clause was automatically rescinded.³. Stringer had the Court of Appeal give a ruling on compulsory unionism or unqualified preference clauses. Clauses which required workers to join unions within a specified period of time after commencing employment were deemed to be illegal.⁴. This ruling did not make any significant difference to union membership during this period but it was one of a series of decisions which marked a change in the Court's attitude to unions.

McCullough's colleagues made the Court a very unpleasant workplace for him after 1914. McCullough noted that the Judge's antipathy towards unions was reinforced by the Court's registrar, John Salmon. Salmon's influence in the Court grew until, in McCullough's opinion, he won the Judge's ear and, in consequence of his knowledge, he became a power to be reckoned

2. McCP/D4., 13 December 1914.

3. BOA, vol.16, 1915, pp.554-560, Application for enforcement of award by the Greymouth wharf labourers.

4. ibid., vol.17, 1916, pp.1006-1036, Enforcement of Preference Clause in Wanganui, Fielding and Palmerston North Hotel Workers' Award.

Walsh, Pat, 'Union membership policy in New Zealand 1894-1982', in Voluntary Unionism, edited by Peter Brosnan, Wellington, 1983, pp.15-16.

with. He advised the committee against shortened terms of awards which McCullough sought. He was the author of more stringent criteria for union rules on representatives and levying which legally constrained the unions' role. McCullough took an immediate dislike to Salmon:

He is undoubtedly the most biassed man against Labour's claim it has been my misfortune to meet and I can see the cloven hoof here to scare that once an award has been made in an industry it should continue in force indefinitely.(5).

By contrast, Scott and Salmon, who had a mutual foe in unions, became good friends. The Employers' Federation's honeymoon with the Massey Government and the Court during the 1913 strike was brief. Amid vociferous protests from employers' associations and loyal unions such as the ASRS which did not support the general strike call, the Labour Department announced that a legal technicality prevented the prosecution of eighteen registered unions which had struck.⁶ Acting upon his association's directive, Scott criticized employers for giving away too many concessions to unions during the strike, albeit to "scab unions". The Northern Steamship Company, for instance, conceded absolute preference of employment to members of the new union which had been formed by thirty-four unionists during the strike. This was a concession which the company had never conceded to the Federated Seamen's Union.⁷ While employers felt morally bound to protect 'loyalist' unions, it was Scott's job to prevent the extension of the concessions.

5. McCP Outward Letter Book, McCullough to E. J. Carey, 24 May 1914.

6. OEA Minute Book, 26 March 1914. New Zealand Railway Review, 26 June 1914.

7. New Zealand Times, 4 August 1915. McCP., folder 6, (n.d.), C. Wigg's circular on behalf of the Auckland Seamen and Firemen's Union.

McCullough broadcast widely among union advocates his unfavourable opinion of the various Court members' crusades.

In 1914, unlike Scott, McCullough did not have a central federation to consult. 1914 marks a turning point in McCullough's association with the CTLC. The 1913 strike, while not destroying the collective decision-making forums such as the CTLC did, however, exacerbate existing tensions. Many of the unions, still affiliated after the internecine battle in the Council, finally abandoned it during 1914. In 1909 the forty-eight unions affiliated to the CTLC were represented by 146 delegates. By 1915 only twelve unions were affiliated and only fourteen delegates were eligible to attend.⁸ Moreover, these few delegates often did not attend. Executive positions went vacant and meetings were regularly abandoned for lack of a quorum. During the war there was a steady rise in union membership generally and the number of Council delegates doubled.⁹ Nevertheless, in comparison to its membership previously, the Council remained languid throughout the war and the ensuing decade. As McCullough had feared, the less revolutionary unionists had also suffered a defeat in 1913.

McCullough also recognized that important changes had taken place in the Council. First, the federation ideal of a representative Council of unionists of all persuasions which had been embodied in the early CTLC seemed dead. The Council decided by a majority vote to expel McCullough's old Lib-Lab

8. CTLC Minute Book, 4 March 1914. L.T., 12 July 1909.

9. Roth, H., Trade Unions in New Zealand, Wellington, 1973, Appendix 1, p.169: 1914 403 unions and 73,991 members were registered under the IC and A Act compared with 378 unions and 82,553 members in 1919.

opponents, John Barr and Fred Wright, from executive positions for their opposition to the 1913 strike.¹⁰ These two unionists and the Lib-Lab unions they represented seceded when the CTLC joined the United Federation of Labour (UFL) and officially supported a political party, the SDP.¹¹ Ironically, the Council was a weaker institution despite having got rid of its long standing divisions. Moreover, a new split soon developed to divide the small Council. The Council continued its involvement in the local Labour Representation Committee. However, a non-political socialist coterie led by W. E. Woodham committed to a guild socialist position gradually came to dominate the Council. This group believed that the change from capitalism to socialism was basically economic and not political. Therefore, trade union activity should concentrate on transferring industrial enterprises from their capitalist owners to worker-councils to own and operate rather than electing workers to Parliament. This indicated, secondly, a failure for the 'political' socialist coterie which had sought to use the industrial Council as a vehicle for political unionism. In 1909 the Council had been a Trades and Labour Council but by 1919 it was merely a Trades Council. By then it had strayed far from McCullough's original vision.

Most importantly, in 1914 McCullough was unable to orchestrate union protest as he had once done directly and indirectly through members of his old coterie. McCullough did not know many of the members of the new Canterbury District

10. CTLC Minute Book, 17 January 1914.

11. ibid., 14 March 1916.

Council. Moreover, he gradually withdrew from involvement in the local political movement. His last organizing work in September 1914 was to pay the expenses and act as chaperone for John Rigg in an attempt to "patch up the differences" and to bring the Christchurch South Branch of the ULP into the SDP.¹² He became reluctant to even represent the Fabian Society at SDP Conferences:

I feel that I don't want to be mixed up with the Hurly burly of the Conference for the reason that I may lose influence with our enemies; or with the Judge who might think it improper for me to engage in Labour Politics. (13).

McCullough's closest union friends, Dan Sullivan and Jimmy Thorn, had begun to concentrate their activities on the national rather than the local, the political rather than the industrial movement. The reorientation of these CTLC leaders was important. In Christchurch the CTLC's one-time role as commentator on all labour matters was usurped by the SDP. Involvement in labour party politics by unions is often considered a measure of 'maturity' in a trade union movement.¹⁴ In this instance, however, the extent of the unions' political involvement had damaged the effectiveness of the Council and left it bereft of leadership.

McCullough had little confidence in the nationally reconstructed UFL while the grass roots organization was defunct. A conference early in 1914 had been intended to symbolise a new era of organization in the aftermath of Red Fed extremism.

12. McCP/D4., 28 September 1914.

13. McCP/D5., 10 July 1915.

14. Plumridge, E. W., 'Labour in Christchurch: community and consciousness 1914-1919', unpublished M.A. thesis, University of Canterbury, 1980, p.47.

Instead, McCullough found not only apathy but a great deal of antipathy existing between the local District Councils and the National Executive of the UFL. Many unionists felt like the Conciliation Commissioner, W. H. Triggs, that:

To all intents and purposes ... it [the UFL] was ... the same body, with the same officials but to be called by a different name according to whether it was working industrially or politically ... (15).

Triggs considered that the platform of the federation was simply "Strike first, strike second and strike all the time". Although the unions did manage to raise the money, McCullough noted the panic which occurred at the time of the UFL's Conference in May 1915 when the majority of Christchurch unions were technically unable to attend because they were without funds and had only paid their affiliation and not their capitation fees.¹⁶

Guild unionism, or the building up of single industry unions, was only encouraged by the breakdown in local inter-industrial federation and union suspicion of a national federation of industrial unions. The Canterbury Building Trades Federation grew from a small coterie of four unions led by Lib-Lab unionists John Barr and Henry Rusbridge in 1912 to become a strong body of a dozen unions which rivalled the Canterbury Council by 1919.¹⁷ Mick Laracy's 1912 scheme to bring all rural workers into one big union had resulted in the farm

15. Triggs, W. H., 'Syndicalism in New Zealand', Quarterly Review, London, 440, July 1914, p.203.

16. McCP Outward Letter Book, McCullough to E. J. Carey, 8 May 1915.

17. Canterbury Building Trades Minute Book, 15 March 1912 and 15 June 1919.

labourers of Canterbury being consolidated into two unions with a total membership of 1000 by 1914. He then set out to consolidate all rural unions into the Agricultural and Pastoral Workers' Union.¹⁸ Similarly, the range workers', metal workers' assistants, cycle workers', electrical workers' and tinsmiths' and sheetmetal workers' unions federated with the Christchurch Branch of the Amalgamated Society of Engineers.¹⁹ McCullough had encouraged this amalgamation as a ULP organiser responsible for the wood and metal trades in Mills' Unity scheme in 1912. Dissension in the Council, industrial conflict at Waihi and on the wharves, followed by the emergence of "scab" unionism had had a profound effect on the Canterbury union movement resulting in secessions from the central union Council. Nevertheless, the Council had also given unions a decade's valuable experience in union federation.

The collapse of the Trades and Labour Councils made McCullough's job more difficult. He now lacked a central forum through which he could disseminate information about the Court's decisions to union groups. Moreover, despite his requests, Stringer, unlike Australian arbitration judges, did not write lengthy explanations of his decisions. Consequently, a great deal of McCullough's time was spent liaising with unions explaining the Court's procedures and advising advocates what strategems might succeed. McCullough was often the coordinator of union cases as in the Amalgamated Engineers'

18. Laracy, E. and H., 'Mick Laracy, Shearer and Unionist in Australia and New Zealand', Labour History, 38, May 1980, pp.46-52.

19. Roth, Bert, Advocate, Educate, Control, The History of the New Zealand Engineers' Union 1863-1983, Wellington, 1984, p.32.

dispute of 1914:

There can be no doubt that the Iron Masters have succeeded in raising your dispute into one of prime National Importance. No effort will be spared on their part; and all available evidence in the shape of statistics will be produced to prevent an increase being granted. This must be met by all means and if getting together you can assist one another this ought to be done.(20).

As McCullough knew only too well, the degree of co-ordination between unions was, in 1914, quite limited. Amalgamated unions were more able to afford full-time trade union secretaries but even in 1915 there were only seven professional trade union secretaries in Christchurch. There was no common secretariat and resources were limited.

Militant unions which had been forced back to the Court after 1913 found McCullough was an asset in preparing their cases. He supported the infiltration of the new unions by the old executive members. He noted, with a little irony, the "great pleasure" with which the Executive Council of Federated Seamens' Union of New Zealand, for instance, circularized its members to announce that the union had reunited its branches into 'one solid body' registered under the IC and A Act.²¹ McCullough's sympathy with the militants such as Jim Roberts and Bob Semple did not, however, endear him to the Judge. Rather, McCullough found himself disadvantaged in Committee because the new Judge was convinced that he was a Red Fed

20. McCP Outward Letter Book, McCullough to S. Elston, 15 June, 1914.

21. McCP Outward Letter Book, McCullough to J. K. Kneen, 23 November 1914. Executive Council of the Federated Seamen's Union circular 28 September 1915 is one of a series in the debate on preference between the old and new union, McCP, folder 6.

partisan.

McCullough's support for the attack on "scab" unions and his open disillusionment with what he claimed was the growing class bias of the Court only reinforced Stringer's view that McCullough supported militancy. In 1914, McCullough agitated for an official inquiry into the resignation of ex-Police Inspector Mitchell who had been removed from his assignment during the Waihi strike for being suspected of leniency towards strikers.²² Subsequently, Mitchell resigned in protest. McCullough hoped to see such an inquiry discredit Massey's handling of the strike. Moreover, he had made quite clear his strenuous opposition to the Court's decision to give absolute preference of employment to both the new "scab" seamen's unions and the watersiders' unions. During one depressing week for McCullough a number of agreements between new unions formed in the 1913 strike and their employers were ratified by the Court. This represented the "complete rout of the legitimate Trade Unions and the endorsement of all that has been done by the scab unions".²³

Given his suspicions that McCullough was a militant partisan, the Judge suspected that McCullough was not representing the entire union movement when war was declared and the question of the suspension of hearings was raised. During the hearing of the labourers' award, Scott, backed by the Employers' Federation, immediately suggested that the Court should suspend all its sittings for an indefinite period.

22. McCP/D4., 16 May 1914.

23. ibid., 4 April 1914.

McCullough opposed Scott's suggestion strenuously. Stringer was inclined to agree with Scott's arguments that the war could have disastrous effects on the economy and he raised the matter in open Court. As he had hoped, the union advocate did not support McCullough:

The workers' agent present, Mr Noot agreed to an adjustment for that day to secure a meeting of representative workers - I did not agree to the adjournment and suggested in open Court that we should go on with our business, hear any evidence submitted . . . I was overruled. (24).

McCullough knew what the union's response would be before the unprecedented consultation took place. McCullough co-ordinated the representative trade union meeting the next night at which a resolution recommending all unions to withdraw their disputes was unanimously adopted.²⁵ Indeed, McCullough spoke in support of the resolution. The unions had indicated their concurrence with the Judge's policy of caution. Moreover, the Judge had told McCullough privately that he would not consent to wage increases during the war. Scott and Pryor were publicly demanding that more flexibility be given to employers. They intimated that they were going to seek a reduction in employers' liabilities. They were referring to labour costs other than wages: that is, payments for time not worked such as holidays and payments required by legislation such as the Shops and Offices' Amendment Act 1914. Some employers complained that the former were growing faster than productivity.²⁶ McCullough feared the possibility of reductions, therefore, he arranged an agreement among the

24. McCP Outward Letter Book, McCullough to J. Moulton, 21 August 1914.

25. Dominion, 6 August 1914. McCP/D4., 16 August 1914.

26. CEA Annual Report, 1913-1914, p.6-9.

Parliamentary wing on the suspension of awards to ensure a public labour consensus:

I then proceeded to the House and after placing the whole facts before Bill Veitch and meeting Robertson and Tom Paul and then agreed to meet them at 2 pm with practically all the labour men excluding Payne and including Barr ... (27).

When the Government proposed legislation to suspend awards, the five labour Members of Parliament, McCombs, Webb, Hindmarsh, Veitch and Walker as well as the members of the Legislative Council had all been well briefed to oppose the Bill.^{28.}

McCullough organized the consensus to support the suspension of hearings, then, because he could not engineer a better one. He feared that the long struggle which had occurred "to arrive at our present conditions would have to be fought over again" since the political and the industrial movements were weak and unco-ordinated.^{29.} McCullough's acquiescence in the suspension of hearings occurred at a critical time for the union movement. Whereas one section had already been beaten into submission, another section of the union movement now voluntarily capitulated to a wave of patriotism. Unionists such as McCullough had cause to regret both these capitulations. At the outbreak of war, for instance, the ASRS's relations with its employer had never been so harmonious. The Government had rewarded its loyal employees for not striking by issuing new regulations and allowances and by exercising a new leniency in regard to discipline. While some unions were languishing, the ASRS opened a new head

27. McCP/D4., 4 September 1914.

28. NZPD, vol.169, 1914, pp.775 ff.

29. McCP Outward Letter Book, McCullough to J. Moulton, 8 August 1914.

office debt free. Through its official organ, the Railway Review, it lambasted the irresponsibility of the "mad Red Feds". At the outbreak of war, the Executive Council waited on the Minister of Railways to explain their decision not to press any of their wages or conditions claims. As an ex-ASRS official who also knew the members of the Executive Council well, McCullough expected this patriotic response. For ten months he read the Railway Review praising the patriotism of the 200 men of the Railways Engineers' Battalion who were mustered and equipped in forty-eight hours to join the advance guard which stormed Samoa before joining the expeditionary forces in Europe. Not until May 1915 with the rising cost of living and an apparent "wages crisis" did the ASRS become critical of its employer again.³⁰ By then its patriotism had put it at a decided disadvantage industrially.

McCullough had to accept that the suspension of hearings, was, in August 1914, a popular decision made in consultation with the union movement. He pitied the ASRS and others whom he referred to as labour's "lost souls". Their attempt to disassociate themselves from the Red Fed and IWW element and their patriotism had put themselves into favour with employers whom McCullough referred to as "our mortal enemies on the other side". McCullough did the best he could given these circumstances. The suspension of hearings rather than the suspension of awards was a concession won in the face of ardent advocacy on the behalf of employers. In the recess, the Court sat as a Royal Commission to inquire into the

30. New Zealand Railway Review, 9 January 1914 to 7 May 1915.

question of the suspension of awards and, in particular, the suspension of the Private Hotel Award at Rotorua.³¹ After strenuous debate between McCullough, Scott and Stringer, the Judge ruled that unless suspensions were by mutual consent the Court could not reduce wages during the term of an award. At last, McCullough could take solace in a Court decision.

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No sooner had the Court gone into recess than McCullough began working towards the resumption of the hearing of disputes. Although the Judge decided Court business would continue as usual he made it clear publicly that he would oppose any claims that would impose new financial burdens on employers. McCullough managed to secure some concessions when an inexperienced advocate joined the Court as ERAC. However, he also incurred the wrath of the Employers' Federation executive in the process. Subsequently he suffered major defeats in Court decisions after 1916. With a new-found cohesion the Employers' Federation mounted an offensive aimed at putting employers in a good position to have wages and conditions reduced through the Court at the end of the war. A group of unionists doubted McCullough's advocacy in the face of this offensive and contested his position in the WRAC elections held at the end of 1916. A more militant section did not see any value in an arbitration court, let alone their voting for a WRAC. These unions pursued direct bargaining with their

31. BOA, vol.15, 1914, p.745.

employers. In his defence McCullough argued that if the union advocacy was not made stronger to support his stand against the employers in the Court, the Judge's decisions which affected the majority of unionists would become much worse.

At the beginning of 1915, McCullough made a good case for the resumption of the hearing of disputes. He had the example of the New South Wales Court which had decided to resume hearing disputes after the union movement had made an application and a case had been heard.³² He could appeal to Stringer's experience as president of the Royal Commission investigating food prices in New Zealand. Stringer was to conclude that prices were rising under the combined effect of the war and a severe drought in Australia which affected the supply of commodities in New Zealand.³³ Although the Commission had not completed its deliberations, information on the trend of prices was easily accessible to McCullough since the Labour Department had begun publishing retail prices of common commodities in its monthly journal during 1914.³⁴ McCullough could also point to the changing mood of working people. The rising cost of living was resulting in public meetings of protest being called in the main centres. McCullough had the support of resolutions calling on the resumption of hearings. Finally, the employers had over-reacted to the suspension of hearings. Even the Judge was concerned at the impact on industrial relations which his decision had. During the recess employers had refused to take part in conciliation

32. McCP Outward Letter Book, McCullough to T. W. Stringer (n. d.). McCP/D4., 11 February 1914 for reference.

33. AJHR, 1915, vol.3, H-34, Report of Royal Commission appointed under the Regulation of Trade and Commerce Act 1914, pp.3-5

34. Labour Journal, 1913-1914, 134-149, Monthly table of current retail prices of the principle commodities.

proceedings. The Conciliation machinery was widely used and all industrial conferences stopped. The Employers' Federation maintained it would stand aloof from negotiations for the duration of the war on the strength of the Judge's decision to suspend hearing disputes in August 1914. Stringer declared he had not meant to encourage this industrial boycott. When the unions applied to resume hearing disputes the Judge announced in March 1915 that "the Dominion was, after eight months of war, singularly free from any ill effects resulting therefrom, though some industries were suffering from the effects of war."³⁵. Amid a chorus of Employers' Associations' protests and what Stringer referred to as "rhetorical exaggeration", the Court resumed hearings. Stringer told McCullough privately that he had decided 'not to open the Court's doors wide'.³⁶.

McCullough recognized that his most powerful opponent was the Judge. Stringer not only decided wage movements but he advised the Government against price controls. The Judge publicly agreed with the Employers' Federation that the "abnormality of prices" and the difficulty of reducing wages after "normal conditions" returned prevented any permanent increase to workers being awarded.³⁷. The terms of reference for the Royal Commission on War Prices which Stringer presided over required him to investigate the advisability of fixing and determining maximum prices in New Zealand. McCullough considered

35. BOA, vol.16, 1915, pp.27-29, Judgement of the Court . . . re application to resume hearing of industrial disputes which had been suspended owing to European war.

36. McCP/D5, 22 March 1915.

37. Evening Star, 21 October 1914, McCP/D5., 12 April 1915.

it was unfortunate that Stringer had been appointed president of the Commission and that labour had been represented by the patriotic John Barr. He was hardly surprised that the Commission concluded unanimously that no undue profits were being made by traders and merchants who were only acting 'fair and reasonably'. McCullough protested instead that the time Stringer spent at Commission hearings would be better spent deliberating on award hearings.³⁸

The Judge attempted to reduce the likelihood of discontent with the Court by putting an embargo on dissents. If the Court was divided he made it clear he would decline to take responsibility for making awards. This had two repercussions for McCullough. It effectively silenced his public protests in the interests of maintaining awards. He was to be criticized later for this silence. But it also allowed him to win concessions since at the resumption of hearings Edwin Duthie replaced Scott as ERAC. Duthie and McCullough were left by the Judge to reach agreement between themselves. McCullough realized that Duthie was not his equal as an advocate:

I am free to confess that there has been much ground gained for our side this last three months mainly because of Duthie's ignorance of what has been done by the Court before but in doing so I have no feeling of having deceived him. I tried to win concessions - That is what I am here for".(39).

Scott told McCullough that he would rather have conceded increases in wages than the small concessions in conditions that workers won. The employers were thoroughly alarmed.

38. McCP/D4., 4 May 1915.

39. McCP Outward Letter Book, McCullough to H. Maimant, 10 July 1915.

Scott launched a campaign to encourage employers not to enter into agreements without first consulting their Employers' Association.⁴⁰ Pryor sent his criticisms of decisions to Duthie and asked that they be passed on to the Judge. The Judge regarded the remarks as contemptuous and made Pryor apologise in open Court. McCullough revelled in the experience of finding the employers publicly divided. Duthie refused to protest in the Engineers' dispute in early 1915 after figures had been presented which showed a significant decrease in output. The employers' advocate argued that this decrease could only be explained by the inefficiency of workers or worse through their deliberate restraint of output.⁴¹ An orchestrated attempt was made to oust Duthie from his position:

Pryor of course is primarily responsible and ably assisted by that little Jack and rapier Weston [president of the Advisory Board in Wellington]. This is the man who demanded that Duthie should record his protest in the Engineers' case and whom Duthie told to go to hell.(42).

McCullough tried hard to get a reprieve for Duthie. He kept him informed of the conspiracy. McCullough deliberately avoided making public statements himself but he provided the ammunition for other unionists such as Carey and Hunter to criticize the employers' tactics.⁴³ He also kept the Parliamentary party informed. A. H. Hindmarsh led an attack on the employers for their "American tactics" of 'buying up the judiciary' and "bagging their man".⁴⁴ McCullough

40. OEA Minute Book, 28 May 1915.

41. Dominion, 30 June 1915.

42. McCP Outward Letter Book, McCullough to S. Elston, 7 October 1915.

43. Post 13 October 1915 and MW, 12 October 1915, McCullough's letter under Hunter's signature.

44. Dominion, 13 October 1915.

privately praised Malcolm Stevenson, an Otago contract tip carrier, for publicizing the employers' dissension. Stevenson, who supported Duthie, declared that the Arbitration Court awards were not alarming employers who were profiting nicely from high prices.⁴⁵ McCullough tried but he could not prevent Duthie from resigning. Pryor, who had lost some of his influence over these events, could not be induced by the reported 800 pounds subsidy to fill the 500 pounds per annum vacancy. The executive managed to persuade Scott to return instead. After stirring up a hornet's nest, McCullough found it difficult to control workers' protests over Scott's subsidized position:

I have been able to make the Christchurch men and the Wellington men decide that nothing could be gained by raising the point but had failed to induce the local men [Auckland] to see it that way.(46).

As McCullough feared, Scott, a popular employers' representative returned in a less than conciliatory mood. He was still upset by McCullough's role in the Duthie affair and the subsidy scandal. The two representatives' relationship rapidly deteriorated as Scott set about his task of "putting up the brake". McCullough suffered major defeats in his efforts on behalf of workers during 1916. Instead of promoting the amalgamation of unions, the Court refused to register unions which it did not consider were closely connected within the one industry.⁴⁷ Instead of concessions, the Court deprived unions of existing conditions such as the limitation of apprentices to journey-

45. Dunedin Star, 4 October 1915, MW, 13 October 1915.

46. McCP/D5., 27 February 1916.
Scott received a 350 pound subsidy.

47. BOA, vol.17, 1916, p.1295, Judgement as to the legality of the constitution of the NZ Agricultural and Pastoral Association.

men.⁴⁸ Most importantly, instead of permanent increases to wages, the bonus system was introduced which gave a ten per cent temporary war bonus to its first recipient which was to cease three months after the end of the war.⁴⁹ The dispute in committee on the bonus system was typical of the deep divisions between its members:

Scott made some proposal to a War Bonus being given. He declared he would never agree to increase them [builders labourers' wages] because they could never be reduced - The Judge criticised Scott's bonus proposal, and made it quite clear that he was not in favour of any increase the reason being that giving a rise did not settle the question and rises were automatically followed by increases in cost of living which left the worker in a worse position. I argued fully and at length against this contention.(50).

The Judge eventually agreed to the war bonus system. Scott assured his executive that he had removed entirely the feeling of antagonism the Judge had shown towards the Employers' Federation and their submissions.⁵¹ Scott argued that the task of the Federation was now to bring all employers into line behind the Arbitration Court awards. McCullough was well aware of the union divisions. He had been a unionist in a state enterprise, a rural union organizer and a founder of a skilled tradesmen's union. His goal had always been to have every worker unionized and under an Arbitration Court award. He was also well aware of the obstacles in the way of his objective. One difficulty was that the union movement had always been judicially divided by the national arbitration system. There were separate systems of arbitration for private and state

48. *ibid.*, pp.24-25, Amendment of Engineers' Award.

49. *ibid.*, pp.137-8, Northern Builders' Labourers' Award.

50. McCP/D5., 7 March 1916.

51. OEA Minute Book, 5 June 1916.

workers. A third group was not covered by arbitration and included all salaried employees and those who evaded the Court by direct action. Moreover, the Court applied different minimum standards for urban and rural workers under its jurisdiction. During the war the union movement voluntarily embraced guild unionism and new divisions emerged. In particular, the divisions between skilled and unskilled unions widened. Many skilled unionists blamed the Court for not maintaining the established margins for skill. McCullough found the Judge often unsympathetic to the idea of skill margins:

The Judge cannot see why any machinist and skilled labourer should not be permitted to work a lathe as well as any other machine. This is difficult to explain; to one who is not aware of the struggles turners have had to keep the lathe for a trade. The Judge uses women during war etc. and this is also hard to overcome. (52).

These divisions were particularly evident to McCullough during the WRAC election at the end of 1916.

A discontented group of railwaymen took the opportunity of the triannual elections to attempt a coup. They ran W. Wiles, a railway engineman against McCullough. However, the 'Wiles campaign' election committee was run by A.W. Croskery, secretary of the Softgoods union which had been refused an Arbitration Court award. Scott, who was himself a softgoods merchant, argued that the union was not representative of the workers. The union eventually won an award by petitioning the Court a second time. The Wiles campaign committee claimed McCullough had "lost his punch" and that his new attitude was too passive.⁵³ As Wiles

52. McCP/D6., 2 May 1917.

53. McCP, folder 6, circular, 20 December 1916.

stated:

in common with other railwaymen I recognise that much of the Industrial unrest existing in the country today is due to the unfair awards granted by the Court without any apparent dissent or protest from the Workers Representative thereon, which suggests that he is out of touch or out of sympathy with the class he represents. (54).

The committee appealed to the militant spirit of workers to elect someone who would reflect their new mood on the bench. The workers could succeed in putting a brake on the Court's decisions by changing their representative just as the employers had done. As was typical of his style as a representative, McCullough went to the Trades Hall to meet Croskery and other unionists who were dissatisfied with him.⁵⁵ They remained unconvinced by McCullough's tactics:

In my opinion all the awards of the Court are more or less "unfair" and are as a matter of course dissented from by me in Committee. (56).

For the sake of unity and the system McCullough maintained he had to protest prudently in public.

The Wiles campaign against McCullough reflected the divisions not only among railwaymen but within the entire trade union movement. On the one hand the Thorndon Branch of the ASRS supported Wiles because it maintained their executive was unsympathetic to the federation ideal. There was an unprecedented amount of talk of unity. Some argued that the three railwaymen's unions, the ASRS, the Railway Officers' Institute and the Locomotive Enginedrivers', Firemen's and Cleaners' Association (EFCA) should federate to form an industrial-sector federation,

54. *ibid.*, Circular 18 December 1916.

55. *McCP/D6.*, 28 November 1916.

56. *McCP.*, folder 6, McCullough's circular in reply to the Wiles campaign circulars, 22 December 1916.

the New Zealand Railwaymen's Federated Council. Others argued that the ASRS and the EFCA should join an industry-wide federation; the Transport Workers' Advisory Board established in June 1916 by a conference of watersiders, drivers, tramwaymen and the railwaymen, with watersider Jim Roberts as secretary, should become a federation. Others argued that the railwaymen should strengthen their affiliation through the Council of New Zealand State Services Associations with other state unions including the New Zealand Educational Institute, the Public Service Association and the Post and Telegraph Officers' Association. Still others, including McCullough, argued that any federation should be a pre-requisite to a national council of trade unions. To complicate matters the Executive Council of the ASRS did not commit the Society to any single federation proposal, rather, almost simultaneously, it held talks with various unions towards each of these goals.⁵⁷ The irony of some ASRS members supporting Wiles and federation was that he was a member of the EFCA which had seceded from the ASRS in 1910. McCullough had labelled the EFCA, then, as a section of trade union wreckers, intent on sabotaging federation.

Although the union movement was singularly united in its opposition to the rising cost of living, the ASRS had to be mindful of a rearguard sectional movement in its ranks. For instance, federation and militancy were anathema to skilled tradesmen. The demands of the railway tradesmen were typical of other skilled workers. They complained that the difference between the rate of wages paid to tradesmen as compared to

57. New Zealand Railway Review, 9 April and 22 October 1915, 11 February 5 May and 15 December 1916, 12 January 1917, and 4 May 1917.

the labourer in 1897 had not been maintained.⁵⁸ This relativity was a major concern and they demanded their own Tradesmen's Association to lobby on their behalf for concessions in view of their skill, the scarcity of skilled labour and their loyalty. The tradesmen told the Select Parliamentary Committee set up to investigate their claims that the executive of the ASRS was made up of "wild, extreme Red Fed supporters" who were liable to drag them into a strike. The radicals of the right preferred to continue their respectable methods.

McCullough's ex-Addington Workshops friend and president of the ASRS, Dick Hampton, had a difficult job calling for unity. The Thorndon branch of the ASRS and the EFCA would not support McCullough who was the official ASRS candidate. Nevertheless, McCullough won the election as WRAC with 946 to Wiles' eighty-one votes.⁵⁹ McCullough was concerned that Wiles had mustered so many votes. He was also concerned that John Dowgray, president of the Millerton Miners' Union polled so few votes as a candidate for deputy WRAC: it seemed "quite apparent that the Miners could not have voted for him and I think could not have voted for anybody."⁶⁰ Dowgray was busy forming a coalminers' federation to act as a national wage negotiating body.⁶¹ The coalmine owners were forced by strikes in 1918 to recognize and negotiate with this body outside the Court. Given the Court's recent adverse decisions and the employers' willingness to get settlements, McCullough accepted the divided tactics of the union movement as almost

58. *ibid.*, 4 June 1915, 25 August 1916 and 12 January 1917.

59. *Dominion*, 27 January 1917.

60. *McCP/D5.*, 3 February 1917.

61. Richardson, L. 'Politics and War' in May, P.R., (ed.), *Miners and Militants*, pp.154-155.

inevitable.

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While direct bargaining increased after 1916 McCullough was involved in a resurgence of advocacy in the Arbitration Court. Holt has concluded that the Court's war bonus decisions became merely guidelines for the majority of unions which used the conciliation machinery of the arbitration system:

Many strong unions succeeded in establishing a collective bargaining arrangement with their employers which co-existed with the established pattern of arbitration.(62).

McCullough's complaint, then, was that the only true negotiation occurred outside the Court. Scott was conspicuously unsuccessful in his objective of preventing employers outside the Court paying above award rates or conceding higher bonuses. The Employers' Federation, resurrectoring the 1913 Defence Committee established a joint council to attempt to combat this.⁶³ These developments aided McCullough's advocacy. He was quite candid about the effect of the Court's inflexible policy of keeping to guidelines in the case of unions like the slaughtermen:

if we did not give it they could secure it outside the Court. In the first place when I suggested the possibility of a strike the Judge was very indignant - but it eventually worked. They got their 2/6-.(64).

62. Holt, J., 'The Development of the Arbitration System in New Zealand', Ch.5, pp.34-35.

63. OEA Minute Book, 17 October and 3 December 1917.

64. McCP/D5., 22 September 1916.

The union movement was obviously dividing over the issue of the Court. The CTC passed unprecedented resolutions declaring that the Court had outlived its useful function.⁶⁵ The Council's and its affiliates' association with the newly formed Labour Party was called into question over their wage demands. The Labour Party's acceptance of the arbitration plank, as one historian has noted, "made it impossible for the militant unions to even consider affiliation with the Labour Party".⁶⁶ However, this dissension did not represent the old pre-war division of federation versus federation or political versus industrial unionism. Weak and under attack, strong union federation was a hope rather than a reality.

The bonus system raised a concern for the competency of union advocacy that McCullough had been complaining about since joining the Court. Not only did the bonus system undermine flexibility for an individual union but it placed a great deal of importance on national advocacy and trend setting awards. Moreover, there was a renewed interest in dominion awards. Uniform conditions were seen as a prerequisite to national amalgamation of unions. A conference of Christchurch union delegates was called to consider the question of union representation by competent advocates before the Conciliation Board and the Arbitration Court. The Plumbers' Union forwarded remits to the Annual Conference which called on unions to emulate the employers' organization.⁶⁷ Trade unions were urged to form a statistical bureau and to adopt a scheme for

65. CTC Minute Book, 26 April 1917.

66. Gager, O. J., 'The New Zealand Labour Movement and the War 1914-1918', unpublished M.A. thesis, University of Auckland, 1962, p.41.

67. CTC Minute Book, 3 March 1917 and 14 April 1917.

the appointment of a National Advocate to conduct all union disputes in the Conciliation Council and the Arbitration Court. Jimmy McCombs "a vertifiable reveller in Blue Books, tables of figures and financial statements" assumed this role and became Labour's champion statistician and advocate in the 1920s.^{68.}

McCullough personally championed the Building Trades' advocate Tom Bloodworth, secretary of the Auckland branch of the Carpenters' and Joiners' Society (ASCJ). McCullough considered him to be "the most interesting, honest and best read man in the Hall".^{69.} Years later, Bloodworth was to reflect on McCullough's typical befriending of union advocates: "In the days when I first appeared as a novice before the Court, Mr McCullough extended to me the hand of friendship in what were, to me, most difficult times".^{70.} A national conference of the ASCJ was called to agree on a demand for a dominion award and an increased minimum wage from one shilling and six pence to two shillings per hour. As he did on other occasions for other advocates, McCullough attended meetings such as the Canterbury Building Trades Federation to explain personally the desirability of a national advocate. He was partly responsible in this instance for "Brother Bloodworth's" unanimous election.^{71.} There was some scepticism of the scheme particularly from John Barr, secretary of the Stonemason's Union, who had dominated the federation since its inception. McCullough sent Brother Barr to

68. M.W., 22 November 1922.

69. McCP/D6., 23 March 1917.

70. N.Z.P.D., vol.227 1947, p.120.

71. Canterbury Building Trades Federation Minute Book, 21 April 1917.

see James Hight, professor of history and economics at Canterbury College, to be exposed to the academic debate on the relationship between increased wages and increased prices. McCullough himself had wallowed in figures from the Labour journals and the New Zealand Year Books. With the support of advocates like Tom Bloodworth he set out to attempt to prove conclusively to the bench that the country was in a position to pay the increases unions sought.^{72.}

McCullough claimed that such cases as Bloodworth's were undeniable. Bloodworth's cases were well prepared and complete with graphs and statistics. He told the Court that while he accepted that it was only bound by Statute to base its awards on "equity and good conscience", it was morally bound to take into account four other matters in its deliberations.^{73.} First, the basic wage was needed to ensure workers could afford the necessities of life. The Court's 1916 pronouncement on a basic wage for labour had to be indexed to the cost of living if it was to mean anything. Indexation did not mean just common food items but the entire cost of living. Second, the Court had to consider the secondary wage which was to compensate skilled labourers for their training, skill and occupational risk. Bloodworth argued since the watersiders who were practically unskilled had won large increases, fair relativity dictated that the Court award relative increases to skilled workers. The third important consideration, Bloodworth argued, was the marginal wage which was to provide for such contingencies as

72. McCP Outward Letter Book, McCullough to L. C. Evans, 1 April 1917.

73. Canterbury Carpenters and Joiners branch ASCJ's Papers, Bloodworth's 17-page typewritten speech, March 1917.

illness and accidents. His members only worked eighty per cent of the 313 working days on average in a year. No work meant no pay. No pay in some weeks meant the minimum wage was not received in effect. Finally, quoting bank returns, land values and nominal balance of trade figures, Bloodworth argued the country was in a most prosperous state. The example of the Australian Commonwealth with a more adverse balance of trade which had granted minimum wage increases was held up to the bench to emulate.

The Judge congratulated Bloodworth on his case. This advocacy took the employers by surprise, as McCullough noted,

Scott protested very strenuously that he would never consent to an award being made in this case until evidence had been called in the other centres. I pointed out there was no reason for this that I could see and I supposed he wanted to have the case settled after it had been dealt with by some incompetent workers agent and to this the Judge replied that we had certainly on this occasion had an incompetent employers agent.(74).

On the strength of the case the union was granted an interim award involving some increases. The strength of the case was enhanced by Bloodworth's patriotic plea. Fifteen percent or 150 out of a membership of 1000 Auckland carpenters had volunteered for active service before 1917. Pragmatic McCullough a socialist and pacifist, wholeheartedly supported the bread and butter claims of a patriotic union.

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74. McCP/D6., 1 April 1917.

The war tested McCullough's guiding principles of national and international arbitration. It created personal dilemmas for him both as a WRAC and as a pacifist. McCullough did not have the freedom of an advocate to protest at decisions. As he explained to one union organizer.

I can assure you that I envy you, your position as an agitator and fighter and many times regret that my position precluded me getting out on the war path and scalping some of our well-fed employers and wool-kings.(75).

In the interests of settlements and unity McCullough did not make dramatic protests from the bench on the many occasions he disagreed with decisions. During 1917 whenever McCullough was asked to speak at the numerous trade union functions and meetings he attended, his message was unity. Unions should not fail to assist their less fortunate brethren. They should combine to create a national movement which was as powerful and as respected as the British movement. For two years prior to 1917 he had travelled the country speaking of the unifying virtues of the Workers' Educational Association (WEA). He had even stood on the podium with Canterbury wool kings such as H.D. Acland to support the Association. In the interests of unity McCullough did not attend anti-war meetings. Above all, McCullough had become committed to a union accord: "Can it be" he asked himself with great justification "that I have become afraid to express my pacifist views because of their popularity?".⁷⁶.

McCullough had always supported workers' education and after 1913 the movement became more popular. The intellectual

75. McCP Outward Letter Book, McCullough to J. Cox, 8 May 1916.

76. McCP/D5., 3 February 1916.

establishment and the employers were horrified by the conflict during the 1913 strike.⁷⁷ Trade unionists, employers, and the general public found a common cause in the education issue. McCullough's old adversary, Acland was particularly enthusiastic:

It certainly appears that the best way to prevent the wasteful and useless struggle is by advocating for everybody in the community a real education Nobody wishes to return to an ignorant and uneducated democracy.(78).

The employers had been prime movers in the foundation of the Christchurch Technical College in 1903. After 1913 they became supporters of the WEA. They invited many leading advocates to speak to them including Meredith Atkinson, a British organizer touring Australasia. At a time when the CTC was so weak it appeared unlikely that it could pay its subscription or send a delegate to sit on the Technical College Board, the CEA took a renewed interest in the College. John Howell, an anti-militarist friend of the McCulloughs and the Director of the Technical College, received an unprecedented invitation to speak to the CEA. This interest involved more than merely speaking invitations. The Christchurch Master Painters' Association even conceded a union claim that apprentices have four hours out of work time and their fees paid by employers if they devoted four hours of their own time to technical classes.⁷⁹ McCullough found some unlikely allies such as Robert Scott, an ex-manager of the Addington Railway Workshops before becoming professor in charge of engineering at Canterbury College.

77. Hancox, G. C., and Hight, J., 'The Labour Movement and the Strike of 1913 in New Zealand', in Economic Journal, 24/94, June 1914, pp.177-204.

78. CEA Annual Report 1914, pp.12-19.

79. BOA, vol.19, 1918, p.1010, North Canterbury Painters' and Decorators' Award.

Although Scott believed limitation of apprentices should be abolished he was also a strong advocate of a scheme of apprentice examinations along the lines of the West Australian scheme. McCullough sent unionists such as Sam Elston to Scott for information for their cases.⁸⁰ However, the Judge proved again to be an obstacle because he held the Court had as much right to send apprentices to technical school as it had to send them to Sunday school, even if the employers supported the provision.

McCullough had a local reputation as a supporter of worker education and Drs. James Hight and Charles Chilton approached him and Ted Howard to help found the local WEA. McCullough was not perturbed by having to stand on a platform alongside merchants, clergymen, pressmen and dignitaries. After putting the motion for the formation of the association, he simply thanked the speakers for the help they were extending to the workers.⁸¹ Their help was essential in the first years. The first three WEA classes in Canterbury were held in a very dingy room at the back of a hotel. The classes relied on employers such as Acland for financial support and Canterbury College tutors and local parsons such as Copland, Polson and Whitehead.⁸² It was not until 1917 that the CTC was persuaded to build a top storey to their hall to give the WEA a union home. It was then that the WEA brought such diverse groups as the Peace Council, the ASCJ, the ASRS

80. McCP Outward Letter Book, McCullough to S. J. Elston, 7 January 1916.

81. L.T., 21 January 1915.

82. Sun, 13 July 1921.

and the CGLU together. This was McCullough's hope when he first supported the scheme.

Conscription by contrast was not an issue which united rank and file unionists and their leaders in 1916. It was not an issue McCullough actively opposed. He was bewildered by the number of his old friends who supported the war, in particular Dave McLaren, Jack McManus and Jack Carey.⁸³ He was surprised and influenced by the lack of union response at the imposition of conscription and at the imprisonment of the union and labour spokesmen like Bob Semple and Jimmy Thorn. The Otago Trades Council would not even discuss the issue. A ballot of unionists was demanded at the National Repeal Conference over the question of conscription. Although it was never taken, McCullough felt that he was part of a minority. That had never worried him before but he felt the issue was dividing the union movement at a time it could least afford it. While Ted Howard was espousing fraternity at the Conscription Conference, for instance, Bill Parry, one-time president of the Waihi Miners' Union challenged the right of Joe Mack, secretary of the ASRS, to attend because he was a member of the Military Service Board. It came as no surprise to McCullough that Mack stood against Peter Fraser in the Wellington Central election in 1918. McCullough avoided the issue when he spoke at Fraser's victory function and declared it was the happiest moment he had been associated with and he hoped it augured well for the Labour Party. The Christchurch Addington Workshops held one of its largest

83. Gustafson, Barry, Labour's Path to Political Independence, p.108.

meetings to protest at Mack's action but the national executive was not about to lose the services of a valuable secretary over the issue.⁸⁴ Similarly, the CTC's executive was urged to abandon the divisive support for conscription and try to get the unions which had seceded over the issue during the anti-conscription campaign to reaffiliate.⁸⁵

McCullough questioned the wisdom of the first plank in the Christchurch LRC's platform being the repeal of compulsory military service. If unionists wished to be elected to the Council to raise the wages of the general labourers then conscription must take second place. McCullough kept out of the conscription fray for fear not only of losing his influence as WRAC and helping to divide the labour movement but also for fear of prison. He had reached the limits of his activism. He was not prepared to lose his liberty. McCullough was fifty-six when compulsory military service was introduced in 1916. He left the courageous public protesting to the younger and less fearful unionists such as Bob Semple and Jimmy Thorn. McCullough admired them, visited them in prison and paid for their relatives to visit them.

McCullough's passiveness also had a great deal to do with his family. His marriage had been happy, he was proud of his children and "Mother", McCullough wrote, was "true as steel" and "loyal to the core". Margaret McCullough was also very jealous of Jack's extra-familial involvements and of his charming manner. Often left at home with the family, she was insecure. At the time they celebrated their thirtieth wedding anniversary McCullough observed, however,

84. New Zealand Railway Review, 18 October 1918.

85. CTC Minute Book, 27 October 1917, c.f. 16 January 1913 and 22 January 1916.

that Maggie's 'jealousy' "has not taken that fierce and un-reasoning turn that used to threaten to break up my home".^{86.}

Jack and Maggie McCullough drew closer together as their four sons were called upon to do service for the Empire. An Empire, that, as an Irish couple, they already had their doubts about.

The McCullough's home was broken up by the demands of war on their four sons. Frank had been exempted from compulsory military training before the war as a conscientious objector. He remained involved in the anti-war campaign and took what had been his father's role as chairman of the first anti-war meeting in Christchurch.^{87.} John Howell had secured a job for Frank as a teacher at the Maori school at Little River but employment remained a problem. Social pressure was strong against young men who did not volunteer. Employers were encouraged, by their associations, to display signs in their windows stating that single men of military age and good physique need not apply for vacancies at their establishments.^{88.} Frank found life unbearable as a conscientious objector and left New Zealand permanently in 1915 for the United States. Jim, a carpenter and trade unionist, volunteered for service in 1916. McCullough was sceptical of his motivation but he did not attempt to dissuade Jim: "I don't think he could give a satisfactory reason other than he was looking for excitement".^{89.} McCullough's farewell to Jim was interrupted by two fires at Trentham camp in twenty-four hours and he last saw his son while being ordered off the grounds by the military

86. McCP/D5., 6 June 1915.

87. M.W., 12 August 1914.

88. OEA Minute Book, 13 December 1915.

89. McCP/D5., 26 July 1916.

police. Jim died in France in 1917. McCullough's eldest and youngest sons, Bill and Roy both reluctantly registered under the National Registration Bill in 1915 and both were called up under the Military Service Act in 1916. Bill was exempted from service, probably on medical grounds. He spent the war working at the Addington Railway Workshops involved in union affairs, especially the formation of the Railwaymen's Political Association and the WEA.⁹⁰ Roy, who had worked mostly as a farm labourer up until 1916, spent the next three years "on the run" in the South Island evading detection.

These events had a profound influence on McCullough;

Jim dead. My boy Roy is a wanderer on the face of the earth a fugitive from the authorities that would compel him to kill a fellow human being or be killed. These troubles have upset me, but more especially my wife and I have hesitated expressing my views in this book [his diary] because they have been so seditious. I will try and continue to record passing events as they occur to me and try to modify my language so that if they were confiscated I might not be hung.(91).

Other unionists, like Hunter, were similarly torn by the issue of conscription. Their questioning left them publicly impotent on the issue:

Its effect was to make war [conscription] for the labour movement generally a second order importance and to concentrate attention on the many difficulties facing the labour movement internally.(92).

The Canterbury Veterans' Association was well supported, unofficially by unionists. McCullough quietly took a trip out to Hanmer and collected the returned soldiers' grievances which he

90. New Zealand Railway Review, 20 September 1918. Bill was secretary and treasurer in 1920, and held other official positions 1937-1945.

91. McCP/D6., 17 February 1918.

92. Gager, O. J., 'The New Zealand Labour Movement and the War 1914-1918', p.19.

sent to the Minister of Labour. He did not publish any articles because the press refused to respect his anonymity. However, he refused the opportunities to work for the anti-war campaign. He left such work to his friends, the Atkinsons, the Howells, the Worralls. Instead he took a trip to Australia to collect awards, year books and to speak to judges and staff of Australian arbitration courts. He was very pessimistic as to trade union prospects in the New Zealand Court when the war ended.

Like conscription after 1916, McCullough could not raise much enthusiasm for either joint employer-worker councils or guild socialism which were proving to be an interface between unionists and employers in Christchurch.⁹³ He accepted that the Canterbury employers' enthusiasm for education was a significant war-time reorientation of their managerial treatment of their workforce. However, he was certain this did not deter their "thrust for efficiency" which stood in the way of labour securing any real gains. It had been a prominent Canterbury employer who had produced data in the Engineers case in 1915 which showed a decrease in workers' efficiency and who had called for reductions rather than increases in their wages. The employers were still concerned about increased productivity for profit and control over the work process. They were being more subtle than their campaign for efficiency before the war. There now arose a consciousness of the utility of paternalistic policies. Labour's stability was their guarantee of productivity.

93. Plumridge, E. W., 'Labour in Christchurch: Community and consciousness 1914-1919', p.172-73. CEA Annual Report 1917, pp.14-15.

The British Ministry of Labour's published version of the Whitley Report was widely read by CEA members.⁹⁴ This coincided with the 1918 Open Conference called by the UFL to discuss the formation of joint worker-employer councils.⁹⁵ During a period of increasing industrial disruption in Britain, a rising cost of living and a feeling within the public service that it had lost relativity with the private sector, the British Government had set up a committee to suggest permanent improvements in industrial relations. Among its recommendations, the report urged the formation of Joint Standing Committees. Christchurch employers had already instituted these. There were few places as stable industrially as Christchurch during the war. Even the employers acknowledged this. "It could be truly said" stated the CEA President "that if all labour was as Christchurch labour, then there would be no combative element of an objectionable nature."⁹⁶ The CEA was now declaring, in contrast to its hostility in 1908, that labour representatives on public institutions were essential. H. D. Acland and J. A. Frostick spoke at Trades Hall stating that they had always been great believers in trade unionism.⁹⁷ They were more receptive to the union movement's call for the formation of single industry boards. Despite the intentions of the union leaders, these boards were, in effect, only appendages to the conciliation system. Like the British National Whitley

94. CEA Annual Report 1918, p.15.

95. Stone, R. C. J., 'A History of Trade Unionism in New Zealand 1913-37', unpublished M. A. thesis, Auckland, 1948, pp.34-42.

96. CEA Annual Report 1919-20, p.16.

97. CTC Minute Book, 28 April 1917, ff.

Council these local boards were merely consultative: "it is no exaggeration to say that no more elaborate system has been devised in the history of Conciliation".⁹⁸ These Christchurch councils addressed matters affecting wages and not questions of organization and profit sharing. For instance, the Christchurch Tramway Board instituted a joint committee in 1915 at the union's request after it had received much publicity for "running amok" and refusing to negotiate with the "disloyal and unpatriotic" Hunter.⁹⁹ It was chaired by a member of the Board, John Barr and the general manager. It concentrated upon introducing scale holidays and scale increases to the various classes of workmen from general labourers to motormen.¹⁰⁰

Both McCullough and central union federations felt the effects of a grass roots attempt to reduce the executive's power in the field of wage bargaining and direct action. It became increasingly difficult for McCullough to organize unions in support of the Arbitration Court. At the same time, while McCullough and the Court were increasingly criticised, it became difficult to organize unions against central arbitration. Guild socialism and joint councils had made central federation a future objective. These movements were expressions of a single impulse to organize immediately and industrially on a craft basis. However there were two types of guilds which reflected the old division within the CTC to support benevolent or strike funds. For example, the

98. Macrae-Gibson, J. H., The Whitley System in the Civil Service, London, 1922, p.6.

99. M.W., 17 November 1918.

100. Tramway Union Minute Book, 12 August 1920, see also 9 October 1919 and 9 December 1920.

Building Trades Federation had a deep concern for status.^{101.} Workers did not seek to overpower employers but were really after a higher status in society. They were not satisfied by increased wages and improved conditions. They sought to be consulted on the control of industries in committees. This opinion was pervasive among Christchurch unionists. Christchurch had become the headquarters of the National Co-operative movement in 1917. The objective of the local industrial guilds was to utilize all available mechanisms to secure the best possible conditions for its members. This involved a second objective of gaining uniform conditions throughout the country, ultimately "one union and one award to cover the industry". Third, joint control by workers of the industry both locally and nationally were sought. However, when Hiram Hunter tried to get the timber workers to join the Alliance of Labour (AOL) the local rank and file unionists refused.^{102.} In many ways this disunity saved McCullough's position on the Court. The Court was not seriously challenged in this period. Certainly, Jim Roberts advocated an industrial parliament consisting of employers and workers as a preliminary stage to workers' control. Indeed, he called for the end of the Court. However, the alliance which he organized was a radically different central federation to the Red Federation. The industrial components of the alliance remained dominant. The seamen, for instance, actively sought agreement with their employers. When the union struck in 1922 its leaders had not organized this militancy. Moreover, the union did not actively.

101. Carpenters' and Joiners' Monthly Report, 1 July 1920, and pamphlet Guild Unionism by Tom Bloodworth, 4 April 1921.

102. Christchurch Building Trades Federation Minute Book, 12 August 1920, see also 9 October 1919 and 9 December 1920.

seek the AOL's support until the battle had been lost.^{103.}

McCullough did not feel threatened by the AOL. It did not represent to him the reincarnation of the Red Federation or the revival of syndicalism that most historians have portrayed it as. It was an emulation of the British Triple Alliance of railwaymen, miners and transport workers that McCullough had long been advocating. McCullough was aware of the internal divisions of the component unions. He knew the leaders of the Alliance, Jim Roberts, Dick Hampton and Hiram Hunter, and he shared their frustrations as a unionist. This feeling was reciprocated, as Jim Roberts wrote to McCullough:

... I have always felt as I feel now that the future failure of the Arbitration Court was not caused through any lack of energy or effort on the part of Jack McCullough in fighting the battle for the wage workers. I know further that, although your position on that Court prevented you taking sides openly with the militants "red feds" etc we always knew that you admired most of the militant mood of working men.(104).

McCullough considered a greater danger lay in some of the pro-Court unionists. He considered there was a dangerous conjunction between local employers and union officials. Dan Sullivan became the first labour representative to address the CEA. He preached a policy of co-operation between capital and labour. He called for a national industrial truce.^{105.}

McCullough did not care for truces with employers. In a period in which he believed reductions in wages would be sought by employers he believed such a call was irresponsible and naive.

103. Walsh, J. P., 'The Seamen's Strike, 1922-23', unpublished research paper, M.A.(Hons.), University of Auckland, 1983, p.91.

104. McCP, folder 10, 10 September 1921.

105. CEA Annual Report 1917, pp.15-16.

When the war was over Pryor was giving his troops the same message:

Speaking upon industrial unrest and the suggested conference between representatives of capital and labour and giving regard to the strong pressure brought to bear on the Federation during the past eighteen months to be a party to the same, the Advisory Board, Mr Pryor said, felt it incumbent on it not to agree to the scheme proposed.(106).

The Federation even resisted the entreaties of the New Zealand Welfare League, an ardently anti-union organization. McCullough looked forward to a hard time on the bench.

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The War Legislation and Statute Amendment of 1918 provided for the general adjustment of wages during the currency of awards in line with movements in the cost of living. To an extent it merely sanctioned the informal practice of placing most weight on movements in the cost of living that had occurred since 1915. The details of those adjustments were fought out in the Court's committee. Three arbitration procedures came under the umbrella of the legislation: a system of six-monthly reviews of war bonuses which operated between 1919 and 1920, a period from 1921 to 1922 of stabilization when the Court attempted to stabilize wages and thereafter a period when the Court sought to reduce wages.¹⁰⁷. This sequence of policies was generally anticipated. The Director of the Bank of New Zealand had been predicting a reduced standard of living for New Zealanders since 1917. The bonus

106. P.S., 30 July 1920. OEA Minute Book, 26 April 1920.

107. Holt., J., 'The Development of the Arbitration System in New Zealand', chs 5-6.

increases were welcomed by unionists but even Jim Roberts was aware reductions were in the offing:

... Say you never complimented me on my recent stand in Court. I am quite satisfied with the decision we now have ... and that penny per hour is safe at least until the Court decides to reduce wages.(108).

McCullough tried to organize an accord on stabilization of wages. The stakes were high. To do so he had to gamble his own position with unionists. The worsening economy made McCullough a most unlucky gambler.

In 1919 the Judge was not very willing to increase wages despite McCullough's advocacy and the new legislation. He capitulated because Scott was insistent:

Scott told him that if he was in his position he would take responsibility for increasing wages of all skilled tradesmen, 1½[d] an hour and making the war bonus 2½[d]. This step would necessitate the review of most of our other awards and would mean a tremendous increase all round ... (109).

When it came to discuss labourers, Scott suggested

some scheme of his for permanent fixed wages and a 2½[d per hour] bonus that would rise and fall automatically on a report from the Government Statistician that prices had either risen or fallen.(110).

McCullough attempted to get a higher rate and overtime paid with the bonus. He intimated that he would dissent in the judgement. However he was virtually forced into accepting the package deal. This was the pattern for the next two years.

108. McCP, folder9, Jim Roberts to McCullough, 20 September 1920.

109. McCP/D6., 13 February 1919.

110. ibid.,

The outlook for better deals with employers outside the Court was also becoming bleak. McCullough complained that Hunter had prejudiced his chances of gaining a higher bonus in the Court by settling for a low figure in the coalyard workers' agreement. McCullough discovered, however, that he was not likely to get much more. In 1921 Judge Frazer replaced Stringer on the bench and gave McCullough new hope. He liked the new Judge's style of attempting to secure a compromise rather than accepting what the employers offered.¹¹¹ This Judge even expressed a sorrow that the Government's Boards of Trade had not moved to control prices during the war.¹¹² Stabilization of wages rather than reductions was one of Judge Frazer's compromises. McCullough accepted this compromise because it was a deal offered in the face of extreme employer opposition. Reductions would be due before the year of stabilization was over. McCullough accepted the stabilization without protest because he had the support of Trades Hall:

Stabilisation for 12 months would be of more value to Labour than would an increase of 2/- or even 5/- with a much larger reduction in September next.(113).

However, in September 1921 the shearers' rates were reduced by 20%. The irony was that in the original draft of the stabilization pronouncement there was no provision for a review. In the interests of his agreement, McCullough had asked that a provision be inserted for he could not tell unionists that under no circumstances could they approach the Court to seek

111. *ibid.*, 12 February 1921.

112. Holt., J., 'The Development of the Arbitration System in New Zealand', ch.6, pp.5-6.

113. McCP/D6., 22 May 1921.

an increase. McCullough claimed that there was an unwritten pledge between the bench members that under no circumstances would wages be reduced. On that understanding he had promised trade union leaders that there would be no reductions.

Although there was rank and file discontent there were no organized protests at the announcement of stabilization which the Judge had made a condition of the policy. When he could not prevent the breach in stabilization McCullough carried out his pledge to Trade Hall and resigned.

McCullough's resignation is often referred to in historical accounts for this period. In some accounts it is seen as the heroic and somehow pathetic symbol of union resistance to unfavourable Arbitration Court decisions.¹¹⁴ It was a token gesture which satisfied unions' frustrations with the Court and their own impotence to protest constructively against its decisions.¹¹⁵ In other accounts it provides a focus for a bitter internecine union debate over the desirability of industrial arbitration itself.¹¹⁶ It is said to have done more to "shake the established position of the Court than any other dispute during the last twenty years".¹¹⁷ However, McCullough did not mean to provide an example for all unionists to follow nor to provide justification for abandoning arbitration. Indeed he was subjected to a great deal of criticism for undermining the potential impact of such symbolism by not

114. Stone, R. C. J., 'A History of Trade Unionism in New Zealand 1913-37', p.56.

115. Holt, J., 'The Development of the Arbitration System in New Zealand', ch.6, p.14.

116. George, D. J. 'The Depression of 1921-22 in New Zealand', unpublished M.A. thesis, Auckland, 1969, pp.92-95.

117. *ibid.*, p.93, Condliffe, J. B., New Zealand in the Making, London, 1959, p.356.

resigning in May 1921 when the stabilization policy was pronounced. Referring to McCullough's resignation, in 1947, the then Prime Minister, Peter Fraser was to comment, almost ruefully, "I was under the impression that it was in connection with the big reduction of 9s, but I find that this was not so".¹¹⁸. Ironically, despite his resignation, McCullough remained committed to the Arbitration Court and to the 1921 stabilization scheme. Court hearings were disrupted for six weeks because of his resignation. McCullough had hoped the Court would not be held up at all. His resignation did not create union divisions nor change union's attitudes toward the Court. A war time economy and union predispositions made the response of the union movement predictable.

McCullough was obliged to resign on behalf of the shearers. He alleged his benchmates had broken a "gentlemen's agreement". But more important for McCullough was that he had personally guaranteed unionists that the stabilization scheme would be a blanket provision for one year. McCullough had been particularly concerned that stabilization be applied to the rural sector. The CEA was correct when it resolved that McCullough was appealing to class prejudice by alleging his benchmates had broken a "gentlemen's agreement".¹¹⁹. He was an ex-president of the farm labourers' union and he had protested at the farmers' special treatment during his entire time on the bench. The Court's stabilization pronouncement was made in May when wool prices were at their lowest.¹²⁰. The president of the

118. N.Z.P.D., vol.227, 1947, p.114.

119. Christchurch Star, 15 September 1921.

120. P.S., 9 September 1921.

Sheepowners' Federation, Acland, had been claiming that lower grades of wool were not worth the cost of shipping since 1920. McCullough claimed nothing had substantially changed for sheep-owners in September to warrant a breach of stabilization. However, when the price of butter and meat fell and the shearers' case was heard, Scott demanded that shearing rates be left to arrangement between a farmer and his worker. He was asking for more than reductions; he was asking for the rural sector to be left out of arbitration. It was on this issue that McCullough had entered the Court.

Like most of the union movement, Joe Mack, Tom Bloodworth and Jim Roberts spent September 1921 discussing what McCullough should do.¹²¹ They represented the three main union positions. Mack advised McCullough to stand again. He took at face value McCullough's statement that he would not sit with his bench-mates again because they had broken a gentleman's agreement. Like the Sun he believed McCullough's ideals were a trifle too exalted for this essentially workaday world."¹²² Mack believed McCullough had made a grievous mistake addressing a letter of explanation on the affair to the trade union movement through Jim Roberts and the Alliance of Labour which was sitting in Wellington at the time.¹²³ He did not accept McCullough's explanation that there was no other national forum to consult. "Oh", McCullough lamented, "if our friends the enemy but knew our disorganized condition they would destroy us absolutely".¹²⁴

121. McCP, folder 10, T. Bloodworth to McCullough, 10 September 1921 and Jim Thorn to McCullough, 7 September 1921.

122. Sun, 17 October 1921.

123. McCP., folder 10, J. Mack to McCullough, 10 September 1921..

124. ibid., McCullough to Tom Paul, 28 September 1921.

Mack and many others warned him that he was being used as a pawn by the Alliance who were planning to wreck the Court.

Certainly Jim Roberts believed that the union movement should be urged to take the attitude of "Gandhian non-co-operation" toward the Court.¹²⁵ He did not have much support, least of all from McCullough. Roberts was angry with McCullough for leaving Wellington quickly and quietly without personally attending the Alliance's Conference. However, McCullough was adamant that his resignation should not damage the Court:

It would be a poor tribute to my sacrifice that I had made if such were made an excuse to injure or destroy the system which about forty thousand trade unionists depend on for their existence as unionists.(126).

McCullough was convinced the Alliance could not get a boycott to work. The Government proposed an amendment to the IC and A Act which made his position automatically vacant if the nominated WRAC was absent from the Court hearings for more than four consecutive sittings without the permission of the Judge. McCullough knew there were many unionists prepared to sit on the Court in his place if a boycott was organized. He did not think there was an alternative to arbitration. The most the Alliance could do was to organize a willing union movement to elect McCullough unanimously. The Conference called the deputy representative Mike Reardon (who eventually took McCullough's place) to Wellington and scolded him for campaigning for McCullough's seat. Reardon complained that

125. McCP., folder 10, Jim Thorn to McCullough, 7 September 1921.

126. McCP/D6., 21 October 1921.

"they talked to me as if I were a mangy dog who had intruded into the dining room ... The man who went to Court in McCullough's place was a scab."¹²⁷. Reardon became genuinely perturbed that the Government would nominate him member by exercising its statutory power to do so without an election.

Both Mack and Roberts did not take McCullough into consideration in their calculations. The unionists who knew him well realized that he was simply tired of the Court and did not want to be re-elected. He wanted to spend time in his garden as Bloodworth eloquently put it:

It shall be known to the world though not just yet that McCullough did not resign because he could not get his own way or because he wanted to bust up the arbitration system. He was not a bolshevist or seinfener in disguise, neither was he at all aiming to be Minister for Labour in Mr Holland's Government or even a humble MP all of which reasons have been suggested to you and to me. He did what he did when he did because of the call of the garden - and wail of the onions, Anthony did for Cleopatra, Romeo did for Juliet, so McCullough for the onion.(128).

With the help of his old friend Harry Atkinson McCullough promised unions he would 'hold the fort' until the excitement had died down and another representative could be elected.¹²⁹. As was expected, McCullough was unanimously re-elected WRAC. In a letter to the Minister of Labour on Christmas Eve 1921, McCullough suggested that the Government could keep his salary for the period he had not been sitting to help pay for the financial crisis and the war debt.¹³⁰. McCullough finally

127. McCP., folder 11, M. J. Reardon to McCullough, 20 September 1921.

128. ibid., Tom Bloodworth to McCullough, 15 September 1921.

129. McCP/D6., 21 October 1921. McCP, folder 12, 14 October 1921, McCullough's circular to unionists.

130. McCP., folder 13, draft letter to G. J. Anderson, Minister of Labour (n.d.).

resolved his dilemma of sitting on an Arbitration Court whose decisions he objected to under a Government he believed was mismanaging the country. He resigned a second and final time.

CHAPTER FIVE

Life after the Court, 1922-1947

McCullough lived for twenty-five years after his resignation from the Court. Certainly, as one historian has noted, after 1921 McCullough descended into "political obscurity".¹ However, this period in his life is also politically significant. Most significantly, McCullough proved to be idealistically consistent. Moreover, he remained associated with the labour movement until his death at the age of eighty-seven. As a result of his consistency and longevity, he underwent a crisis peculiar to his generation of trade union socialists who remained committed to their socialist platform of the first decade of the twentieth century. They had to accept that the New Zealand Labour Party did not and would not support their platform. As a result, McCullough's relationship with many of his old political and union associates changed. When Semple, Webb and Parry took office as Cabinet Ministers it was McCullough's turn to be critical of their performance.

There were three phases to McCullough's development as a critic of the Labour Party in power. He had a phase as a political candidate which he had managed to avoid for twenty years. He unsuccessfully stood in Parliamentary and local body elections in 1922 and 1925. His lack of success, however, released him from the burden of

1. Thompson, B.J.G., 'The Canterbury Farm Labourers' Dispute 1907-1908...', unpublished M.A. thesis, Canterbury, 1967, pp. 211-213.

compromising with his adversaries in the interests of representing a constituency. The decade which was punctuated by the Labour Party's political victory in 1935 was a sad decade for McCullough. He spent it accepting speaking engagements and sitting on committees. During a period of depression, voluntary arbitration and mass unemployment, he helped to resurrect the Christchurch Socialist Party. The last phase in his life was the most difficult period for McCullough personally. He was too old to do little more than observe the political scene. He spent twelve years sitting on a Legislative Council he had once actively sought to abolish. He was a pacifist who lived through another world war under a Labour Government which had introduced conscription. He watched his old colleagues work hard achieving a welfare state but compromising on their socialist objectives in the process. In frustration and as an outsider to power politics McCullough quietly became a critic of the Labour Government during the Second World War. However, in a way, McCullough really understood the dilemma of his old colleagues for he had found himself in a similar position battling for an arbitration objective against much opposition for fourteen years as WRAC on the Arbitration Court.

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McCullough was very pessimistic over the future of the organized union movement when he left the Court. An amendment to the IC and A Act in 1922 was widely seen

by the labour movement as another judicial assault on the power of unions.² The ASRS, for instance, lost its rights to vote in the WRAC elections. McCullough had still harboured a faint hope of a united union movement under the judicial umbrella of the Arbitration Court. Instead public and private sector unions were not being encouraged to unite. Moreover, workers faced wage reductions as a result of the deepening economic depression. A substantial wage reduction for all wage workers was facilitated in February 1922 when the Court was empowered to issue General Wage Orders to any award or agreement.³ In the interests of the economy, stabilization and the basic wage were put to one side.

McCullough believed that the union movement's "only chance was to strengthen the parliamentary labour party".⁴ Indeed, he began discussing such concerted action with Walter Nash, the future secretary of the New Zealand Labour Party (NZLP) in September 1921. Nash and Jack McCullough came to an "agreement" that "he [McCullough] was to go round the trade unions urging organization and political action, and I", Nash told Parliament some years later, "was to try to build up the branches of the Labour Party. His job was to bring the unions in. We had that simple pact together".⁵ McCullough toured the country peddling his old theme that there was a real need for political as well as industrial organization. McCullough

2. Miller W.G., 'State Regulation of Wages in New Zealand' A Survey of the Arbitration system in New Zealand with particular reference to the years between 1914-1939', unpublished M.A. thesis, University of Auckland, 1944, p. 31.
3. Hole, J., 'The Development of the Arbitration System in New Zealand', unpublished manuscript, University of Auckland, 1983, ch. 6, pp. 15-16.
4. M.W., 26 July 1922.
5. N.Z.P.D., vol. 227, 1947, p. 116.

had advocated this from the turn of the century but during the war he had been quiet on this theme. His message to unionists was similar to Harry Holland's official proclamations that the party would not merely administer the class state it would seek the economic transformation of society. McCullough told unionists that the NZLP would break up and shatter the machinery of State after taking possession of it. Representative institutions would be converted from mere talking shops into working bodies. The union movement would hold the key to democracy when all working people were organized on workers' councils in the new society. McCullough found a receptive audience. There were many unionists anxious to develop workers' industrial councils. ⁶ He represented and helped influence the group of Alliance of Labour-supporting unionists who turned to the NZLP for the first time during the 1922 election. ⁷

McCullough could no longer use the excuse of Court work to decline suggestions that he stand for Parliament. He had told the many petitioners over the years that he refused to modify his demands for economic social and political transformation and running as a political candidate would necessarily involve compromises which he was simply not willing to make. However, he willingly succumbed to the combined union pressure to stand which was exerted on him during 1922. He was convinced that the need to combat the Government's loss of sympathy towards unionists took precedence over his personal scruples. Moreover,

6. CTLC Minute Book, 11 March 1922.

7. Stone, R.C.J., 'A History of Trade Unionism in New Zealand 1913-1937', unpublished M.A. thesis, University of New Zealand (Auckland), 1948, pp.60-62.

he found inspiration in the election of Harry Holland and Bob Semple. McCullough let his guard down for the first time at a tribute meeting held to honour him and "to testify to his sterling character and inspiring efforts in the cause of the workers".⁸ Harry Holland, Jim Roberts, Hiram Hunter and Bob Semple were amongst those who conceded that although McCullough had endured much criticism as WRAC it was questionable whether any person "could have fulfilled the duties with so little friction".⁹ He had been the ideal WRAC. Semple made public McCullough's refusal of his offer of 100 pounds to stand in the Hutt against T.M. Wilford who had recently become the leader of the Liberal Opposition. McCullough continued to refuse this and other offers. He parochially chose another difficult seat, his own Riccarton electorate.

McCullough's attempt to enter the political arena in 1922 was to fail. The reasons are not hard to find. Riccarton was by no means an easy seat to tackle. As he told the electors, he was one of the pioneers of the organized labour movement in Christchurch.¹⁰ His contribution to the movement was not well known outside the labour circles. However, he had the reputation as the WRAC who resigned and he presented a radical face to the electors. McCullough emphasized five planks from the national platform drawn up by Holland, Nash and Fraser. He advocated, first, a state bank along the lines of the Commonwealth Bank of Australia to compensate for the fact that "rich

8. M.W., 26 July 1922.

9. ibid.

10. Roth Collection, McCullough's letters to the electors of Riccarton, September 1922. Sun, 5 September 1922.

were becoming richer" in New Zealand and were consolidating their financial power. He had always maintained that the working farmer and the town worker were both exploited by urban financiers financial institutions and middlemen. It followed, then, that they should both be attracted to Labour's land policy that land tenure should be based on occupancy and use. Third, he advocated electoral reform. He believed in proportional representation which would make it possible for women "if they so desire" to elect women candidates. Minorities, whatever their views, were entitled to their proportional representation without having to compromise with major parties. On the initiative of a "moderately strong section of electors" a bill could be introduced to the House of Representatives, a referendum of all electors on any issue could be held or a Member of Parliament be made to submit to an election at any time. McCullough's fourth plank was free secular education from the cradle to the grave. McCullough's fifth plank, of course, was arbitration. He had "always been a staunch supporter of the settlement of Industrial disputes by discussion, as against Direct Action". In many ways, McCullough's platform was more radical than the official Labour Party's.

The nature of McCullough's electorate meant that his platform was not well received in 1922. Lower Riccarton and Spreydon were working class areas with the sales yards and Railway Workshops but Upper Riccarton and Fendalton were middle class suburbs, much disturbed by McCullough's radicalism. Moreover, the electorate encompassed the rural fringes of areas such as Halswell, Rolleston and West Melton all of which were predominantly anti-Labour in 1922. As well, McCullough faced a long entrenched local

member. The Riccarton electorate had been represented by George Witty, an 'Opposition' member until the 1905 election. He did a political sommersault easily in the turmoil of political manoeuvring at the time to become an "Independent Liberal". 11. During the election campaign in 1922 Witty still publicly expressed the hope that the Liberal Party was not dead, that "phoenix-like it will rise again". However, he and Christchurch North member L.M. Isitt, another "Independent Liberal" did not help it by voting with Massey.

McCullough came last in the poll. 12. Had he been a younger man he may well have looked forward to a parliamentary career. Persistence in Christchurch electorates had served, and was to serve, others on his ticket well; the Rev. John Archer went on to become a popular mayor after being defeated in Christchurch North. Tim Armstrong was elected for Christchurch East. Ted Howard, Dan Sullivan and Jimmy McCombs were elected; they had all been seasoned candidates before they were successful. Despite Nash's congratulations from the new national office and encouragement to continue the battle and to "keep the boilers warm", McCullough had had enough of national politics at least. 13.

The same factors which operated in 1922 operated again in July 1925 to spell political defeat in local body affairs. McCullough single-handedly organized a campaign against the Citizen's Association in the Riccarton borough during the municipal elections

11. Scotter, W.H., A History of Canterbury, III, 1876-1950, Christchurch, 1965, p. 304.

12. L.T., 8 December 1922. The poll result was as follows: G. Witty 3240, H.S. Kylie 3005 and McCullough 2341.

13. McCP., folder 12, W. Nash's telegram to McCullough, 8 December 1922 and W. Nash to McCullough, 19 December 1922.

The Citizen's Association was led by J.A. Forstick a prominent employer and one of McCullough's old political foes. McCullough ran a ticket of his school committee, WEA, Peace Council and Labour Party friends which included his son-in-law. ¹⁴. There had not been a Labour representative on the Council since 1911 which represented the high point of the popularity in electoral terms of McCullough's platform. McCullough stood on a '1911 platform' emphasizing local issues, roads, rates and rolls and advocating the extension of municipal enterprise. The only special project undertaken by the Riccarton Borough Council was electrical reticulation to which the McCullough household was among the first to be connected. Labour's municipal candidates strongly advocated more municipal projects. They offered an end to "timid, hesitant, dilatory and ineffective" policies without, at the same time, any increase in the rates. The electorate, however, was not prepared for the "radical change" in Council's personnel or policies that the Labour candidates promised. No Labour candidates were elected, although McCullough came ninth in the race for eight Council seats.

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McCullough settled down to being a popular speaker, a local committeeman and a contributor to newspapers after 1925. Even into his seventies and eighties he remained a powerful speaker. He was the oral historian for the local labour gatherings and a symbol of the party's origins. He was particularly friendly

14. L.T., 23 April 1925. McCP., folder 12, Riccarton branch of the Labour Party's election pamphlets, April 1925.

with Terry McCombs. He joined the labour politicians on local committees such as the committee responsible for the preservation of the old provincial Council buildings. ¹⁵. McCullough was convenor and later first chairman of the Canterbury Provincial Chamber Board.

McCullough also began to be critical of the Labour Party's official policies. This was most obvious over Labour's land policy. In his articles and public speeches after he left the Court, McCullough was particularly scathing of the Canterbury social structure and the unequal distribution of land which he saw as an important basis of social inequalities. He claimed that the average holdings in Canterbury in the first two decades of the twentieth century were becoming larger: in 1907-08 the average holding was 553 acres and in 1921-22 it was 609.81 acres. Only the land speculators were making increasingly handsome profits in the 1920s. McCullough held up Labour's policy of land tenure based on occupancy and use as the means to "curb money power and [to] give the working farmer the full product of his labour". It was a rude shock to him when the Labour Party's Land Policy Committee in 1927 gave full recognition to owners' rights and full recognition to private banks. He did not support these new policies.

The death of Fred Cooke in 1930 was the occasion for a resurrection of the Christchurch Socialist Party which McCullough had first chaired in 1920. The Labour Party's policy inspired a group of old unionists who had a reunion at Cooke's funeral to use

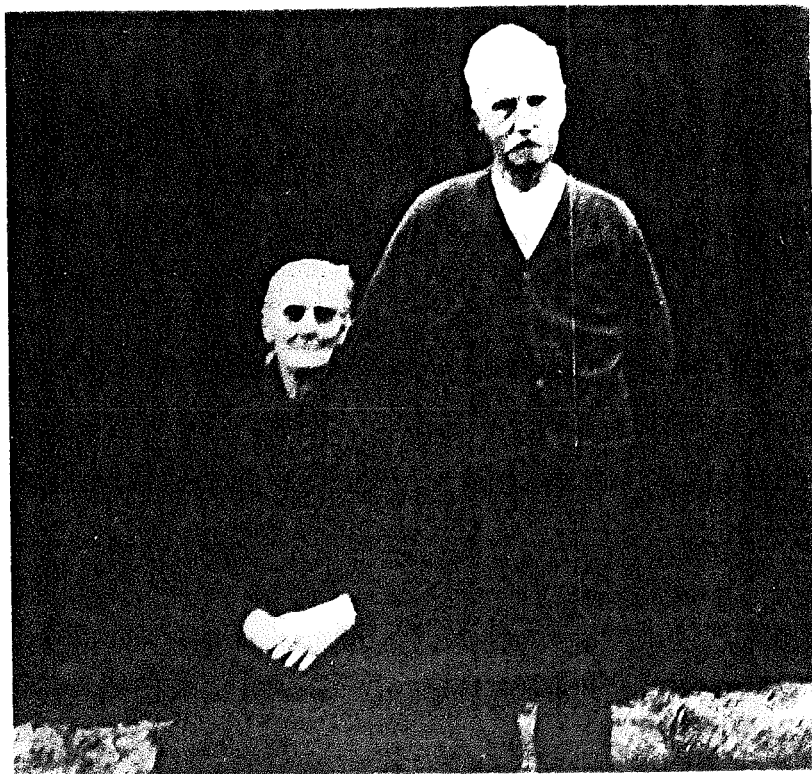
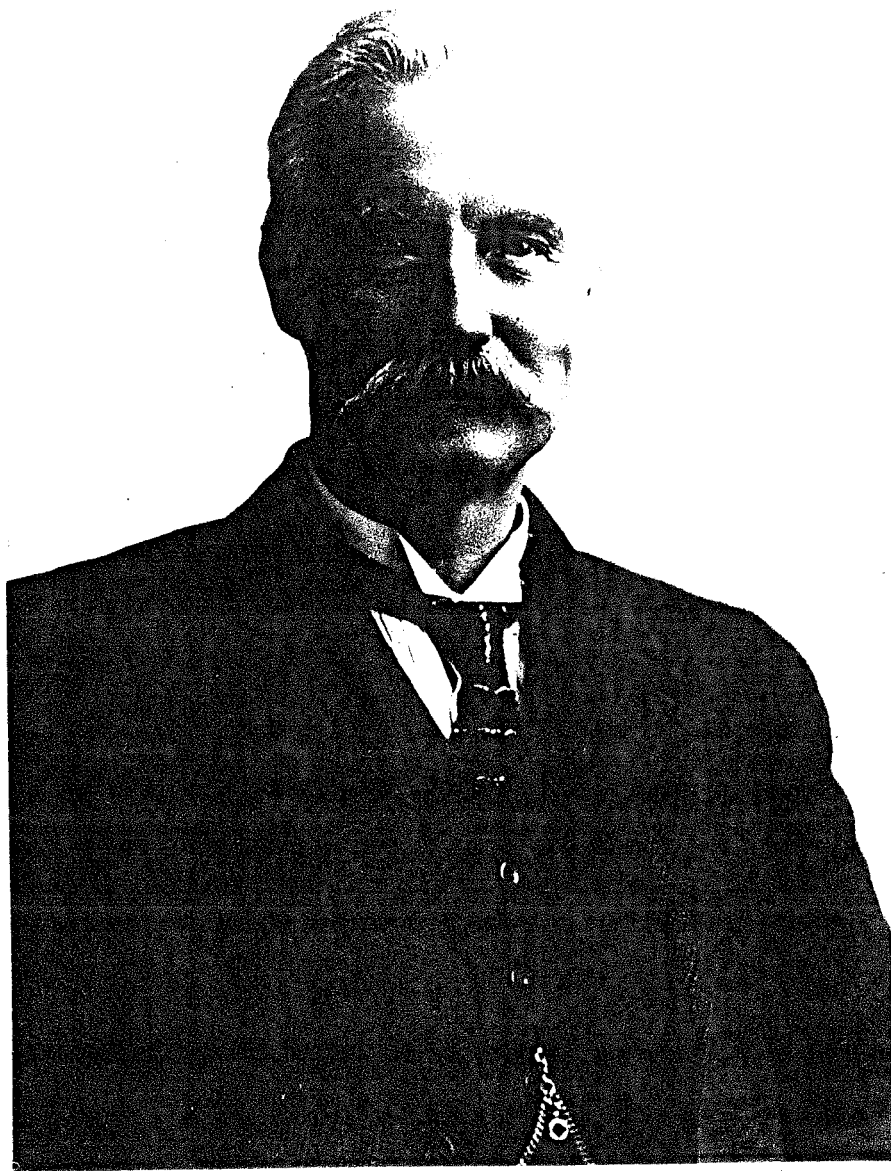
15. L.T., 29 March 1929.

McCullough Parliamentary Candidate 1922

"During the past twenty years, Mr McCullough was not so prominent in the public eye as he had been before then, when he was a leading figure in the labour movement in Christchurch. It would be right to say that all sections of the people who knew him and his work regarded him in the last years of his life as one of the grand old men of the labour movement." (Syd Holland, N.Z.P.D., vol.227, 1947, p.115).

Maggie and Jack McCullough 1947

"We frequently took walks together and many have been the intimate talks we had. We lived to see some of his ideals realized. He was dissappointed in others. He was, as most of us know. opposed to any form of militarism, and it was a source of very deep regret to him that the world was not advancing on the lines he had hoped for in that regard. " (Tom Bloodworth), N.Z.P.D., vol.227, 1947, p.120).



his legacy of eighty pounds to refound the Socialist Party under the aegis of the Canterbury Trades Hall. ¹⁶. Fred Cooke had come to New Zealand with a band of Robert Blatchford's Clarion readers and had been a godsend to McCullough, another Blatchford reader. McCullough and Bob Eckroyd considered the party a fitting tribute to Cooke in a time of depression. McCullough spoke first of the "imminent collapse of capitalism and the need for socialists and trade unions to play their part in the birth of the new economic order that will follow the fall of the old one". Attended by the 'old guard', Ted Howard, Tim Armstrong and Dan Sullivan, everyone joined in the singing of the Red Flag at midnight after electing McCullough chairman. The particular emphasis of the party was on education, the Socialist Sunday School and the Guild of Youth. Unlike the national movement of the Labour League of Youth, the Christchurch groups considered it a duty "to destroy the economic conditions". They appropriately met in the No More War Movement's rooms.

McCullough considered Harry Holland's death in 1933 as a blow to the labour movement. He strongly supported Holland's leadership of the Parliamentary Labour Party: "Even when Mr Holland was playing the political game with his opponents", McCullough wrote, "his eyes were always fixed on the star of socialism". ¹⁷. When he left the Court he had announced that he would be the happiest man in the country to see a Labour Government elected in New Zealand whose objective was the socialization of the means of production, distribution and exchange. In 1935 he

16. N.Z.W., 24 February and 22 June 1932.

17. ibid., 8 November 1933.

had his reservations yet election night was the scene of joyful celebrations at 16 Princess Street. 18.

The years between 1922 and 1935 were lean years for the McCulloughs personally. They had their own financial crisis with Jack losing his well paid job. They subdivided and sold off land around their home which represented their savings. They could have sold the bach and four acres at Sumner but Jack was loathe to sell it. He was keeping it for Frank Daly, his grandson. Frank had a university education and Jack had hopes for a 'Professor Bickerton' or an influential labour ally in the family. However, Frank won a science scholarship from Canterbury University College and went to England to do post graduate work in 1937. He never returned and when McCullough heard of his intentions he sadly sold the Sumner land. The McCulloughs' financial security had already been assured, however, with his appointment in 1937 as member of the Legislative Council.

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McCullough finally got to Parliament but not on his platform. He told all his acquaintances that he was becoming a member to vote for the Upper Houses' dissolution. Ironically old labour men like McCullough, Tom O'Byren, Mark Fagan, and Tom Bloodworth justified the continuance of the House both by making it safe for Labour and being a good reward for old labour stalwarts. His old adversaries were also in the House; Canterbury employers like William Hayward, militarists like Sir James Allen and

Lib-Labs like Leonard Isitt. They took their familiar positions. In McCullough's first debate over the Labour Government's restoration of the I C and A Act, Hayward argued the case for the liberty of the individual claiming that provision had to be made for conscientious objectors to unionism. McCullough spoke in favour of the bill but like other radicals he had doubts about the imposition of compulsory unionism. He was particularly concerned at the dangers of creating a powerful plutocracy of union officialdom tempted by the comforts and emoluments of office not to seek socialism. 19. McCullough did not speak often and even then on only three favourite subjects, industrial and international arbitration and provincial rights.

McCullough accepted an invitation from the secretary of the National Peace Council, Charles Mackie, to become more involved in the Council with relief for he had been feeling useless; "I am becoming every day more impressed with the fact that an MLC", he told Mackie, "is intended to be more ornamental than useful". 20. McCullough took the chair at the Peace Council's centennial meeting twenty-five years to the day after he had chaired the first meeting in the Choral Hall in 1911. Another old supporter, William Ensom had left 100 pounds to the Labour Party but 500 pounds to the Peace Council and this donation marked a revival in the Council. McCullough found himself leading deputations to 'Micky' Savage and Peter Fraser just as he had to Ward, Massey, Coates and Forbes before them. 21. He wrote letters to Semple and Parry reminding them of their

19. N.Z.P.D., vol. 245, 1936, pp. 194-196.

20. Mackie Papers, McCullough to C. Mackie, 30 September 1936.

21. ibid., C. Mackie to McCullough, 14 July and 6 August 1936 and 5 October 1936.

days as anti-militarists.

McCullough was not completely alienated. He was still committed to the Labour Party on which he believed economic forces would eventually foist socialism. He was very free "with his pennies" to the New Zealand Worker and free with his contributions to its columns. He felt there was a responsibility "on all of us who have personally benefited as a result of Labour's popularity". 22. McCullough shared his disillusion with party members. His conversations with Harry Atkinson were usually about the prevailing apathy of the labour movement and the insignificant amount of education and propaganda work that was being conducted. His speeches to the party faithful reveal his disillusion:

I get very pessimistic at times at the slow progress we are making with our platform and our ideals. We are progressing but pitifully slow. Cost of living [is] rising continuously and taxation [is] increasing nearly every session. (23)

McCullough had been reappointed to the Legislative Council in 1943 and at eighty-seven he was still speaking in the House. During his last trip to Wellington he informed his friends it was probably a last farewell. After a short illness he died of cancer at his home in July 1947 and was cremated at Bromley Crematorium. 24. It was not a quiet affair. A large crowd assembled at the funeral parlour and at the crematorium, joining Maggie McCullough and her children to 'pay their respects'. 25.

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- 22. ibid., McCullough to C. Mackie, 16 February 1940.
 - 23. McCP., folder 14, notes of speech written by McCullough. It is undated but he delivered it about 1937.
 - 24. McCullough's death certificate held at the Christchurch Registry for Births, Deaths and Marriages.
 - 25. N.Z.P.D., vol. 227, 1947, p. 118.

CHAPTER SIX

Conclusion

This study of Jack McCullough and the Arbitration Court raises important questions about the traditional approach to the history of the Court. The IC and A Act has been held responsible for many, and at times all, of the features of New Zealand industrial relations since 1894: it was responsible for the revival of unionism after 1894, specifically the creation of small moderate and litigious unions; it, conversely, placed severe limitations upon militant unionism; its decisions were held to be responsible for the absence of strikes up to 1906; and finally, the administration of the Act and unfavourable decisions of the Court have been seen as contributing to a growth of union militancy which culminated in the 1913 general strike.¹ Moreover, much labour history has been cast in the same mould and has been inclined to categorize unions primarily according to their attitude towards the Arbitration Court.²

1. For example: J. M. Howells, Noel Woods and F. J. L. Young (eds.) Labour and Industrial Relations in New Zealand, Carlton, 1974, ch.1, pp.7-11; Clark, Victor S., The Labour Movement in Australasia, London, 1907, p.64; Condliffe, J. B., New Zealand in the Making, London, 1930, p.337; Williams, A., 'Industrial Militancy in New Zealand: the Contributing Influence of the Industrial Conciliation and Arbitration Act and its Administration 1894-1908', unpublished Ph.D. thesis, Massey, 1977.
2. Stone, R. C. J., 'The Unions and the Arbitration System, 1900-1937', in R. Chapman and K. Sinclair (eds.) Studies of a Small Democracy, Auckland, 1963, p.201.

Within this broad framework, it is possible to identify four main approaches in the writing of New Zealand industrial relations history. The first, which concentrates upon the institutional and political level of industrial relations, was much favoured by overseas observers in the early twentieth century and by some of McCullough's contemporaries. By this account, the moderate New Zealand labour movement before 1906 is said to have been beguiled by the Liberal Government and its legislation. The 'Liberals' Arbitration Court, it is argued, played a major role in producing an artificially quiescent union movement. By creating a multiplicity of small unions, it is claimed that the Court placed severe limitations upon militancy. It is usually assumed, by proponents of this viewpoint, that craft unionism was ineffective unionism. The Webbs, for instance, made a clear distinction between old and new unionists and attributed political developments to the latter who refused to tie themselves to compulsory arbitration. Using the British model in which they concluded that the Lib-Labs were in full retreat from 1890, they were convinced that the New Zealand labour movement was backward.³ Conversely institutional historians argue that the increasingly adverse decisions by the Court and the Government's neglect of reforming legislation incensed unionists after 1906. This belated union discontent manifested itself in union deregistrations from the Arbitration Court. More importantly, union discontent after 1906 was a factor in the political decline

3. Allen, V. L., Musson, A. E. and Clegg, H. A., 'The Webbs as Historians of Trade Unionism', Bulletin of the Society for the Study of Labour History, 4, Spring 1962, pp.4-9.

of the Liberal Government which could no longer satisfy either town or country interests.⁴.

A second approach which has received a degree of support is that which seeks to explain changing patterns of industrial relations by recourse to what might be termed 'ideological contagion' or the 'agitator' thesis. Put simply, this second explanation points to the harmonious industrial relations existing before 1906 and ascribes this, in part, to an overly cautious Lib-Lab and Independent Labour union leadership. De-registration from the IC and A Act and a resort to militant action after 1906 is explained by the emergence of a new leadership and the "importation of doctrinaire revolutionary theories."⁵. Specifically, a revolutionary vanguard of Australian miners infected moderate New Zealand unionists with a fighting spirit and a revolutionary objective. Indigenous roots of discontent are commonly downplayed in this explanation. Instead, theories 'inappropriate' to New Zealand labour conditions infected small groups of militant unionists.⁶. Similarly, the later emergence, in 1919, of the Alliance of Labour and the rekindling of militancy is usually attributed to a second wave of imported syndicalism which again failed to sink deep roots in New Zealand.

A third and more pragmatic explanation of trade union behaviour stresses economic dissatisfaction as the mainspring of worker action. In the immediate aftermath of the Maritime Strike unions were quiescent because they were too disorganized

4. Newman, R. K., 'Liberal policy and the left wing, 1908-1911, a study of middle class radicalism in New Zealand', unpublished M.A. thesis, Auckland, 1965.

5. Condliffe, J. B. New Zealand in the Making, London, 1959, p. 340.

6. Sinclair, K., A History of New Zealand, London, 1969, p. 199.

to be otherwise. An improving economy gave them little reason to be otherwise, at least until 1906. Thereafter, however, the economy, or more accurately, the Arbitration Court's interpretation of economic performance, worked against the workers' interests. Economic dissatisfaction, then fed union discontent.⁷

A fourth explanation concentrates upon the growth of class consciousness which was the prerequisite to industrial and political action by the working class. This consciousness was mobilized by a number of movements including unions; the object was to redistribute social and economic power more equitably in the community.⁸ At the national level the Arbitration Court institutionalized the new phase in the struggle between capital and labour.

Of course, these four approaches are not mutually exclusive and together they provide a persuasive explanation of industrial relations in the first two decades of the twentieth century. However, a concentration on the institution of the Arbitration Court has reinforced the assumption that industrial conflict had been institutionalized; that the structure of the industrial relations system manufactured conflict. McCullough's perspective offers an alternative view. His experience seems to indicate that it could be equally valuable to focus more closely upon the workplace than upon the legal system enacted to patrol it. Briefly, such a stand-point reinforces the old dictum that worker and employer relationships in the workplace

7. Rankin, M. T., Arbitration and conciliation in Australasia: the Legal Wage in Victoria and New Zealand, London, 1916, p.160.

8. For instance, Plumridge, E. W., 'Labour in Christchurch: community and consciousness, 1914-1919', unpublished M.A. thesis, Canterbury, 1979.

determined their relationship in other institutions. The dynamics of the workplace have been surprisingly neglected in New Zealand labour history. Holt has argued that the Arbitration Court did not create the industrial harmony between 1894 and 1906.⁹ This argument should be extended. The Arbitration Court did not of itself create industrial militancy after 1906.

From McCullough's perspective there were three important phases in the development of relations between workers and employers in the workplace. The first phase began about 1900. Significantly, this coincided with a particular stage of industrial and capitalist development - a time of an export drive and the emergence of scientific management.¹⁰ In this critical ensuing decade, many employers sought to gain complete control over the work process while introducing new innovations in industries. This class of expanding manufacturers, exporters and their managers alienated workers by their drives for efficiency and increased output. They reacted to constant rank and file pressure for more influence at the worksite by seeking to destroy the union movement. Demands for control and opposition to control, then, went beyond the exigencies of the economic situation. In particular, employers refused to accept militants and radicals as legitimate representatives of legitimate interests. Many employers simply refused to take a more positive attitude towards unions and collective bargaining at the worksite.

9. Holt, James, 'Compulsory Arbitration in New Zealand, 1894-1901. The evolution of an Industrial Relations System', N.Z.J.H., October 1980, pp.180-184.

10. Aves, E., Report on the Wage Boards and Industrial Conciliation Acts of Australia and New Zealand, 1908, pp. 93-94.

McCullough was one radical regarded with suspicion by employers. He was frequently criticized by the media for revealing a "thoroughly unjudicial mind".¹¹ He had hoped that the Court would be more orientated to the workplace than to the judiciary. In 1908 when he was elected WRAC, he looked forward in the near future to all employers coming under the jurisdiction of the Court. He wanted industrial relations conflict turned into co-operation; profit-sharing and collective negotiation to be made compulsory. He lamented that workers had been made "wage slaves to a law", that the Arbitration Court was not a forum for mediation but that it was a legal wage-fixing body concerned with maintaining procedures.¹²

McCullough's expectations contrast markedly with those of the employers who wanted to be exempted from the IC and A Act, or at the very least, to restrict the Court to a wage-fixing function. He was sympathetic to the frustrations felt by the "Red Feds" who prepared to fight employers over the arbitration issue. Employers claimed that their margins of profit were too narrow to meet continually rising labour costs without an increase in efficiency, improved organization and technology. In the meantime they were not prepared to discuss wage increases. Industrial disruption grew widespread between 1906 and 1913.

A second phase in industrial relations, as seen by McCullough, began in 1914 when many employers realized that

11. Thompson, B. J. G., 'The Canterbury Farm Labourers' Dispute 1907-08', unpublished M.A. thesis, University of Canterbury, 1967, p.91.

12. L.T., 25 February 1907.

victory created as many problems as it solved. Wartime was not an appropriate moment to humiliate further a union movement whose co-operation was now needed. They embarked on what McCullough considered to be a very shrewd policy. During the 'consultative years' during World War One, joint committees were set up and union demands were sometimes met in the interests of the war effort. McCullough's anticipation of a unionized workforce democratically controlling industry seemed to be developing. The joint councils or 'Whitleyism', however, fulfilled the employers' expectations more than the expectations of socialists such as McCullough. As employers hoped, the deliberations of these consultative councils were restricted to immediate issues such as wages, hours and conditions of work. McCullough had hoped they would be vehicles for profit-sharing and joint management.

A third phase began after the war. When employers sought to have wages reduced after the lifting of the war commandeering in 1921 the unions were in no position to fight back despite the growth in membership. The employers had partly conceded indexation of wages to the cost of living and general wage orders that unions had been clamouring for through their representatives such as McCullough. Advocacy in the Arbitration Court had never been of such a high standard as at this time when trade unions faced substantial wage reductions. The Arbitration Court reacted to economic forecasts by reducing wages. By 1921 McCullough found himself, in effect, a leading union advocate for wage demands and representing a union movement in organizational disarray.

McCullough's arbitration career between 1908 and 1921 distinguishes him from a number of other unionists with similar expectations. It would be wrong, however, to see McCullough purely in relation to the arbitration system as if he ceased to be a member of the labour movement once he joined the Court. He had established himself before 1908 as a leader of an important radical faction of urban labour and he maintained his association with this group. Too little attention has been paid to this section of the New Zealand labour movement; historians prefer the brief excitement of 'Red Fedism' to the less obvious but perhaps more lasting efforts of urban radicals like McCullough.

McCullough was a skilled tradesman. He worked for twenty-five years from 1882 at the Addington Railways Workshops in Christchurch achieving the position of leading tinsmith. He was a foundation member of the ASRS and represented his department on national Railways Boards. He frequently convened dinner hour meetings at the workshops getting 250 men to agree on resolutions. He was also a leading Socialist Church member spending his Sunday afternoons on a soapbox in Cathedral Square and he was a prominent columnist in Christchurch papers. He was an influential model who contributed to the important development in New Zealand unionism after 1900 of the emergence of ties between radical unionists who were skilled tradesmen and previously unorganized sections of workers. He attempted to organize the Canterbury farm labourers in the same way as he attempted to organize Canterbury railwaymen. McCullough was a leader in the local movement of radical unionists whose ambition was to reconstruct society through union organization.

He represented the faction of Canterbury trade unionists who attempted to implement their goals by working within the existing political system for revolutionary change. This faction briefly became dominant in the CTLC in the first decade of the twentieth century. It made a determined attempt to turn the CTLC and unionism into a vehicle for socialism. McCullough occupied many official positions and probably helped to organize more unions between 1899 and 1901 than any other unionist. His faction was the only serious challenge to the Lib-Lab leadership in Canterbury.

McCullough's major objective was similar to Keir Hardie's dream of a labour alliance; he attempted to create an alliance between trade unionism and political labour at the turn of the century to defeat employers' predominance in the capitalist system. He was a leading organizer of the IPLL. He met with much opposition, most significantly from within 'his own' faction on issues such as political tactics, his fervent pacifism and the shape of his federation ideal. The compromises he had to make in the interests of unity were very similar to the compromises the New Zealand Labour Party was to make. Radical reform from within the existing political structure was very difficult to achieve and many tensions were created for him as a person.

McCullough learnt to work within the system and to make what little gains he could. While factionalism lessened after 1913, the organized union movement continued to stray from his original vision. During World War One, the Trades and Labour Councils collapsed; they had become small trades councils made up of unions which did not support political

unionism. With the collapse of the CTLC, McCullough lost his industrial and political power base and part of his dream of a labour alliance. When an opportunity presented itself at the end of 1921 he resigned his position as WRAC in disenchantment.

McCullough stood for the Labour Party in national and local elections after his resignation from the Arbitration Court. However, his relationship with the Labour Party deteriorated after 1925. With the help of other old CTLC unionists McCullough resuscitated the Christchurch Socialist Party during the 1930s depression when compulsory arbitration was abandoned. During World War Two he campaigned against the Labour Party's official policies, particularly its introduction of conscription. McCullough fought for thirty-five years for labour to win political power. By 1947, however, the Labour Party in government had become, for him, a source of great disillusionment.

B I B L I O G R A P H Y

- A. Archival material
- B. Unpublished theses and manuscripts
- C. published material

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